



Alexis de Tocqueville in 1850. From a portrait by Théodore Chassériau.
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Alexis de Tocqueville

Chapters and Notes for His Unfinished
Book on the French Revolution
(mostly 1857)



[TWO PRELIMINARY NOTES]

[IN 1856, as he completed and published his *Old Regime and the Revolution*, Tocqueville began to think about its sequel, which in his mind was not so much a sequel as a continuation of the same work. In this year 1856 he wrote two notes to remind himself of his long-range plan.

From the first note it is clear that Tocqueville still had a study of Napoleon I and the First Empire as his ultimate aim. He had expressed this intention as early as 1850, when casting about for a subject on which to write a book.¹ For him, Napoleon and the Empire were phenomena within the French Revolution as a whole. On this great subject he hoped to write a new kind of history, something “grand and original if it is well done.”

On the margin of this first note Alexis penned a passing thought that is puzzling and indeed questionable if taken as a statement of historical method. It declares that contemporaries of a great event understand it better than later historians, who may be more successful in filling in details. This marginal note becomes more understandable if we remember that Tocqueville thought of the French Revolution as a continuing process still at work in his own day, so that he himself was one of its contemporaries feeling its “last tremors.” He would therefore not attempt a detailed history of the Revolution, but rather an account of its general impact and significance, leaving the details to be filled in by posterity.

In the second note, which he called “first gropings” and dated November–December 1856, we see Tocqueville narrowing down his plan, at least temporarily, to a consideration of the Revolution within the usual chronological scope of the word. In these “gropings” he expected to concentrate on the first period of the Revolution, beginning with the meeting of the Estates General on May 5, 1789. He would then analyze and judge the work of the Constituent Assembly. During 1857 he accumulated materials on the Revolutionary years, and from October through December of 1857 he drafted the seven chapters translated here.

¹ See below, pp. 150 and 227–228.

If we compare these seven chapters with his "first gropings," we see another of Tocqueville's traits, a tendency toward a kind of infinite regression in the focus of his efforts. Back in 1851, he had set out to write a book on Napoleon I as a means of understanding the seizure of power by Napoleon III. He had begun with a study of the situation *preceding* Napoleon's coup d'état of 1799 and had composed in 1852 two fairly finished chapters on the state of France under the Directory.² This led him to think that he must go further back into the Revolution itself, of which the result was a whole book on what *preceded* the Revolution—his *Old Regime and the Revolution*, published in June 1856. He now thought that he must turn again to the Revolution, and, as shown in his first gropings, he would begin with the meeting of the Estates General. But the seven chapters that he succeeded in writing dealt entirely with what happened *before* the meeting of the Estates. On what happened *at* the meeting—the transformation of the Estates General into the National Constituent Assembly (which Hervé de Tocqueville had treated at length in 1850, and others before him)—we have from Alexis only a few brief comments and longer summaries of his readings.

There are similar notes, mostly bits and pieces, among Alexis's papers on the following years of the Revolution. But, although published by André Jardin, they are too disjointed and sporadic to be put together in any connected form, and they are not translated in the present book.³ He clearly intended to treat the Constituent Assembly at length; but how he would have presented it is unclear, since he sometimes said that its work was noble and far-reaching, and sometimes that it was impractical and short-sighted. There is even less in his notes on the climactic years of the Revolution. There is nothing on the flight of Louis XVI and his repudiation of the Constituent Assembly, nothing on the war and invasion of 1792, nothing on the Jacobin club and its radicalization, nor on the Committee of Public Safety and its revolutionary dictatorship, which re-

² These two chapters, along with notes on the Revolutionary years, as edited by Jardin, are in OC II, 2, pp. 171–350.

³ Selections have been translated by John Lukacs in *The "European Revolution" and Correspondence with Gobineau*, New York, 1959, pp. 89–116.

pressed popular revolution and aristocratic and royalist counter-revolution alike. Tocqueville's great theme was the continuance of centralized power from the Old Regime through the Revolution into the First Empire (and then the Second), with the depressing corollary that the quest for liberty seemed always unsuccessful. In the needs of war and revolutionary government he might have found understandable (if unpalatable) reasons for this centralization. He seems not to have seen them. He once referred to the years of the Revolution as "a transitory and fairly uninteresting period separating the administrative Old Regime from the administrative system created by the Consulate and which still rules us."⁴ Or, as he put it in another undated jotting, "It was by *moeurs*, not by ideas, that centralization was re-established."⁵ It was as if the French simply reverted to centralization from habit, with or without cause or reason.

It is to be observed also that in his preliminary notes Tocqueville suggests the importance of individual persons (he refers to Napoleon, Louis XVI, and Mirabeau) but that in the seven draft chapters he hardly mentions anyone by name except in passing. It was indeed fundamental to Alexis's thinking in all his work, both in his writings and in his political career, to insist on the importance of moral qualities in men of action. Yet there is nothing in these seven chapters like the character sketches of Louis XVI, Necker, Calonne, and Brienne attempted by Hervé. The one place where Alexis expands on an episode involving an individual, and where he adopts a narrative mode, is his account of the arrest of Duval d'Eprémesnil in the hall of the Parlement of Paris. He presents it as an example of liberal resistance to arbitrary power. The contrast in the treatment of d'Eprémesnil by Alexis and by Hervé (see pp. 88 and 171) reveals the difference between their points of view: Alexis sees d'Eprémesnil as a hero of liberty; Hervé regards him with more reservation as a troublesome young man opposing a clumsy but benevolent government.

Tocqueville's two preliminary notes follow. }

⁴ André Jardin, *Alexis de Tocqueville, 1805-1859*, Paris, 1984, p. 463.

⁵ OC II, 2, p. 200.

I

Original Idea
Earliest General Feeling for the Subject⁶

To be reread from time to time to put me back
on the general course of my thinking (1856)

My subject is:

1. A true portrayal of the man [Napoleon Bonaparte], less a great man than an extraordinary one, whom I take as my object and who until now, it seems to me, has not been portrayed with either accuracy or depth. New side of my subject.

Everything that reveals him in his thoughts, his passions, in his true *self* should attract my particular attention.

2. The advantages for himself that he found in the state of facts and opinions at the time.

3. The means that he used.

But what I want above all to depict, the better to understand him, is the great Revolution in which he played such a principal role. To judge and depict that Revolution with a freer spirit than those who have dealt with it until now, and making use of the light cast on it as it still goes on; that can be grand and original if it is well done.

What I want also to do is to portray the features of the French character in this general revolution or in this phase of humanity: what this Revolution takes from the national character and what the national character adds to it. A new view if I bring to it the freedom of mind of which I am capable, especially today when, no longer actively involved in my time and my country, I feel no urgency to embellish or change anything, and no ardent feelings except to find and report what is true.

[Tocqueville's note in the margin of the last two paragraphs:] We are still too close to the events to know the details (this seems strange, but is true); the details become known only by posthumous revelations and are often unknown to contemporaries. What contemporaries know better than posterity is the movement of minds and general passions of the times of which they feel the last tremors

⁶ Ibid., p. 29.

in their own minds and hearts. It is the true relationship between the principal actors and the principal facts, and between the great historical movements, which those close to the times described perceive better than posterity. It is for posterity to write the history of details. Those close to the events are better placed to trace the general history and general causes, the grand movement of facts and current of opinion of which men who are placed too far away cannot form an idea because such things cannot be learned from memoirs.

II

First Gropings⁷

(November and December 1856)

I think that in the first part of a history of the Revolution, which is the part on which the most has been written, it is best to say as little as possible on details of fact. I should be lost in the immensity of it all. But what general features or questions should I choose?

What place to assign to persons? They certainly played a great part at the beginning.

Louis XVI; especially the court; Mirabeau.

My mind is drowned in details and can't see any leading ideas.

I shall not extricate myself if I wish to write a history of this first phase, even of a philosophical kind, or try anything except a few considerations. But what shall they be?

Why did Reform turn so fast into Revolution?

How explain that an apparent and real agreement was followed by violent dissension? How could the Revolution have been made by a riot? Paris. How could the people become suddenly enraged and the most powerful element on the scene?

How explain the powerlessness of individuals? Or the impossibility of civil war? . . .

The first thing to depict is the first period from the meeting of the Estates General to the fall of the Bastille and the formation of the Constituent Assembly. From that moment the Revolution was a fact.

⁷ *Ibid.*, pp. 173–174.

Here is the beginning and the most difficult part of the whole book. It is in this short period that I must first concentrate my attention. I can write nothing *a priori*; perhaps the leading ideas will come from an examination of the details.

Choose for this first stage the questions that led to the formation of the Constituent Assembly.

Then judge the work of this Assembly. Distinguish what in its work was true, grand, and durable; then show how it nevertheless threw everything into confusion and failed. This will be a major part of my book.

Apparent unanimity; good dispositions; general love of liberty. First scene. . . .

When I come to an analysis and judgment of the work of the Constituent, the horizon clears; on the one hand, show the grandeur, honesty, and beauty of its principles; on the other, the lack of practical wisdom that ends up in general disorganization. . . .

How the Old Regime fell all of a sudden into Revolution.

Perhaps put this great question first of all: could the Old Regime have fallen without Revolution?

The Violent and Uncertain Agitation of the Human Mind on the Approach of the Revolution⁸

DURING the ten or fifteen years preceding the French Revolution the human mind throughout Europe was gripped by strange, incoherent, and irregular movements, such as had not been seen for centuries, symptoms of a new and extraordinary illness by which contemporaries would have been frightened if they had been able to understand them.

The idea of the greatness of man in general, the omnipotence of his reason, and the unlimited extent of his understanding had penetrated and absorbed everyone's thoughts. With this grand notion of humanity in general was mixed an unnatural contempt for the time in which one lived and the society to which one belonged.

There was an absurd pride in humanity and a singular humility with regard to one's own time and place. Throughout the continent, among the enlightened classes there was less and less of the instinctive love, or almost involuntary respect, usually felt by men of all countries for their own institutions, their traditional customs, or the wisdom or virtue of their fathers.

Everywhere the talk was of the inadequacy, incoherence, and ridiculous features of institutions, the vices of contemporaries, the corruption and rottenness of society.

—All this is evident in novels. That insipid philosophical novel, *Woldemar*, written by F. H. Jacobi in 1780, which despite its interminable twaddle made a great impression at that time, is full of diatribes against the present and predictions of coming catastrophe.

“To me the present state of society seems like a dead and stagnant sea, and that is why I would welcome any inundation, even by bar-

⁸ [Tocqueville's note written on the jacket containing the draft of this chapter:] A sketch barely roughed out, though written with pains. Do all this over at one re-writing.

barians, to sweep away these infected marshes and uncover a virgin land."

The speaker's friend, Hornick (an earthy man, the butt of the novel), expressed his alarm at hearing such words, and indeed with reason. I think the author would have been even more alarmed if he had really believed in this sweeping away by barbarians.

A little further along: "We live in the ruins of forms and institutions, a monstrous chaos presenting everywhere an image of corruption and death."

This was written in a pretty country villa by a rich man keeping open house, a literary salon where people passed the time in philosophizing without end, exhibiting their tenderness, their excitement, their enthusiasm, and pouring out daily torrents of imaginary tears.

Nothing shows better how far the whims of an idle, agitated, literary society (passion for philosophizing, analyzing sentiments, creating subtleties, sensibility, overheated style) had been diffused all over Europe. The book exaggerates in the heaviness and awkwardness of a German setting the faults in the French spirit of the time.

No great social change was anticipated by princes, ministers, administrators, or those who under different titles conduct human affairs. To them it seemed an absurd chimera to suppose that men could be governed otherwise than the way they were, that what had lasted so long could be replaced by what did not yet exist except in the minds of a few writers, or that the order they saw with their own eyes could be overthrown in an attempt to establish a new order in the midst of disorder and ruin. The possible, for them, went no further than a gradual improvement of what existed. It is curious to see, in the administrative correspondence of the period, able and foresighted government servants drawing up their plans, adjusting their policies, and arranging for the use of their powers in advance for times when the government they worked for, the laws they applied, and the society in which they lived would no longer exist.

It is a common error of men called wise and practical to go on judging, by rules, men whose aim is precisely to change and destroy the rules. But in times when passions take over in human affairs, we

should attend less to what experienced people think than to what occupies the imagination of dreamers. . . .

—Cosmopolitanism here (a new word instead of patriotism), the love of humanity replacing the love of country—⁹

We are not to think that this kind of aversion for one's own time and country, which had so strangely affected almost all inhabitants of our continent, was a mere superficial and passing feeling. Ten years later, when the French Revolution had afflicted Germany with all kinds of transformations, accompanied by ruin and death, one of those Germans who . . . [a blank space] reflecting on the past, cried out in a confidential effusion: "What used to be is now in ruins. What new edifice will rise? I do not know. What I can say is that the most horrible outcome would be for the old times of lethargy and effete manners to be born again from this time of terror. You don't perform a play by repeating the first act. So then, forward!"

"Yes," replied his companion, a noble, "the old society ought to perish."¹⁰

The ten or fifteen years preceding the French Revolution were a time of great prosperity almost everywhere in Europe. The useful arts developed; the need for material enjoyments spread; the commerce and industry to provide for them became more extensive and improved. It may seem that, with life filled with such satisfactions, the mind would turn away from the abstract sciences of man and society to concentrate more on small daily affairs. This is what we see all too much of today, but it is the opposite of what then happened. In all Europe, almost as much as in France, philosophizing and dogmatizing occupied the enlightened classes. Even the classes whose habits and business normally removed them from such discussions took them up passionately whenever they had the leisure. In the most commercial cities of Germany, at Hamburg, Lübeck, and Danzig, men engaged in trade and industry would meet, after

⁹ [Note by André Jardin: A new theme that might have followed the theme of *distaste* for one's own time, as announced above.]

¹⁰ [A note by André Jardin: Tocqueville's notes show that he was quoting from a biography of the German Clemens Theodore Perthes. There is a blank page in the manuscript here, where Tocqueville perhaps intended to insert a passage on England, as indicated in the following note:]

England did not escape from this universal epidemic, but it experienced it in a way suited to its own temperament.

the day's work, to agitate the great questions of the existence of man, his condition, and his happiness. Women, surrounded by their small household tasks, sometimes dreamed of the great problems of our existence.¹¹

It was as if everyone was trying to escape at times from his private affairs to interest himself in the great concerns of humanity.

As in France, the pleasures of literature occupied a large place in the busiest lives, and the publication of a book was as great an event in the smallest towns as in the capital cities. Everything was a matter for curiosity, a subject of emotion. It seemed that everyone had a treasure of feelings that he wanted to spread abroad.

A traveler who had been around the world attracted general attention. When Georg Forster, one of the companions of Captain Cook, appeared in Germany in 1774, he was greeted with a kind of craze. There was no small town where he was not fêted. People crowded about him to learn of his adventures from his own mouth, but they especially wanted to hear him tell of the unknown countries he had visited and the customs of new peoples among whom he had lived. They asked whether the simplicity of savages was not worth more than all our riches and our arts, whether their instincts were not better than our virtues. . . .

A certain excommunicated Lutheran priest, an ignorant and quarrelsome man and a drunkard, named Basedow, a kind of caricature of Luther, imagined a new system of schools, which he said would change the habits and ideas of his contemporaries.¹² He touted it in vulgar but vehement language. He was careful to say that his aim was to reform not only the Germans but the human race. He had a simple and easy method by which all men could become enlightened and virtuous without difficulty. All Germany was excited; princes, ministers, nobles, bourgeois, and free cities lent their aid to the innovator. The greatest lords and ladies wrote to Basedow with modest requests for his advice. Mothers hurried to give his books to their children. Throughout Germany the old schools founded by Melancthon were deserted. A college called the *Philanthropinum* was founded to instruct these reformers of the

¹¹ [Marginal note:] Describe this more fully. Quotations if possible. They give life to the picture.

¹² [J. B. Basedow (1723–1790), well-known educational theorist and reformer.]

human species; it made a great sensation for a while, then disappeared. The enthusiasm collapsed, leaving dismay and confusion. That such a man could produce such effects would be inconceivable if we did not know that, in times of revolution, the influence of innovators comes less from themselves than from what they chance to find in the crowds about them.

It is well known that on the eve of the French Revolution, Europe swarmed with peculiar associations and secret societies, which were then quite new and whose names have long since been forgotten. There were the Swedenborgians, Martinists, Freemasons, Illuminati, and Rosicrucians; the men of strict observance; the sectaries of Mesmer; and many others that were only varieties of these.¹³

The purpose of several of these sects was originally only the private interest of their members. But all now were concerned with the destinies of the human race. Most, at first, were purely philosophical or religious; but all now turned to politics and gave it their full attention. Their methods differed, but all now had a common goal of regenerating societies and reforming governments. Physicians tell us that during epidemics all particular illnesses end up by showing the symptoms of the prevailing malady. The same phenomenon now showed itself in the world of ideas.

There is something else worthy of notice. It was a time when the sciences, in becoming more well defined and certain, discredited the marvelous and made the inexplicable seem simply false, when reason claimed to take the place of authority in all things, putting the real in the place of the imaginary and the free search for knowledge in the place of faith. This was indeed the general direction of thought; yet hardly any of the sects I have just mentioned did not somewhere touch on the invisible, and all bordered in one way or another on the chimerical. Some gave nourishment to mystical imaginings; others believed they had found the secret for changing some of the laws of nature. It was a time when there was no enthusiasm that could not pass for science, no dreamer who could not get himself heard, no impostor who could not be believed. And nothing shows better the troubled agitation of the human mind at that

¹³ [In a long note Tocqueville gives details on these groups, and also mentions the Cabalists and Cagliostro.]

time, running this way and that like a hurried traveler who cannot find his way and who sometimes abruptly retraces his steps instead of going forward.

In our time it is poor workers, obscure artisans, and ignorant peasants who ordinarily fill up the secret societies. At the time I am speaking of it was princes, great lords, capitalists, men of trade, and men of letters. When in 1786 the secret papers of the Illuminati were seized on the premises of their chief, Adam Weishaupt, they were found to contain several notably anarchical principles: individual property was said to be the source of all evils, and absolute equality was demanded. These same archives of the sect also contained a list of its adepts; it included only the best-known names in Germany.

Many contemporaries, unable to fathom the general causes producing the strange social upheaval that they witnessed, attributed it to the action of secret societies. As if specific conspiracies could ever explain the sudden destruction of all existing institutions!

The secret societies were assuredly not the cause of the Revolution, but they must be considered one of the most obvious signs of its approach.

It would be wrong to believe that the American Revolution aroused a deep sympathy only in France. Its fame resounded to the extremities of Europe; it was seen everywhere as a signal. Professor Heinrich Steffens, who took part in the rising of Germany against France thirty years later and served it as a soldier right up to the occupation of Paris, tells us in his memoirs of recollections of his early childhood. His father, a doctor at Elsinore, coming home one evening, related incidents of the American war to his children, who were then very young, Heinrich being only seven or eight years old.

"I was then," Steffens writes, "already enough aware of the importance of the American war to be interested with my whole soul in a people who so bravely defended their liberty. . . . I recall vividly what happened in the harbor at Elsinore on the day when news arrived of the peace treaty assuring the triumph of liberty. It was a fine day, and the harbor was filled with ships of all nations. We had awaited the occasion with great impatience. All the ships were dressed as for a holiday; the masts were decorated with long pennants; flags were everywhere; the weather was calm, with just enough wind to flutter the pennants and spread the flags; the firing

of cannon and the joyful cries of the crews on the decks added to the air of a festival. My father had invited some of his friends to dinner. They celebrated the victory of the Americans and the triumph of the liberty of peoples, but their joy was mixed with obscure presentiments of the great events that would ensue. It was the bright and gentle dawn of what became a bloody day. My father wished to impress upon us a feeling for political liberty. Contrary to his usual custom he brought us to the table; he tried to make us understand the importance of the event we had been watching, and had us drink with him and his guests to the health of the new republic."

Among such men, in the farthest corners of Europe, who were so moved on hearing of the deeds of a small people of the new world, there were none who understood the deeper and secret cause of the emotion that they felt. They listened to this distant sound as to a sign, without knowing what it portended. It was like the voice of John the Baptist crying in the wilderness that new times were close at hand.

Do not look here for particular causes in all these facts that I have related; they were all only symptoms of the same social malady. Everywhere the old institutions and the old powers were poorly adjusted to new conditions and new needs.

Hence came that strange malaise that made their condition seem intolerable even for great personages and men of the world. Hence that universal idea of change, coming over everyone without being sought and with no one imagining what the change would be. An internal movement, with no motor, seemed to be both disturbing the public life of societies and shaking everyone's ideas and habits on their foundations. People felt that they could no longer hold up as before, but they had no idea which way they would fall. And all Europe offered the spectacle of an immense mass oscillating before collapsing.

How This Vague Agitation of the Human Mind Suddenly Became a Positive Passion in France, and What Form it Took at First

(War on absolute power; Notables)

IN THE YEAR 1787 this vague agitation of the human mind that I have just described, and which had long been disturbing all Europe without any settled direction, suddenly became in France an active passion with a precise goal.

But, strange to say, this goal was not at first the one that the French Revolution would attain; and the men who felt the new passion first and most keenly were the very ones that the Revolution would devour.

In the beginning it was not equality of rights but political liberty that seemed to be aimed at. Those among the French who were the first to act, who shook up society and began the Revolution, belonged not to the lower classes but to the upper. Before descending to the common people, this new hatred of absolute and arbitrary power was felt by the nobles, the priests, the magistrates, and the most privileged of the bourgeoisie, in short, by all those who, standing first in the state after the master, had better means than others to resist him and some hope of sharing in his power.

I shall not relate how financial embarrassments brought Louis XVI to call to his side an assembly of members of the nobility, the clergy, and the high bourgeoisie, and to submit the state of his affairs to this Assembly of Notables. I am discussing history, not narrating it. . . .¹⁴

Henry IV had used this device to postpone the calling of the Estates General and to give a kind of sanction to his wishes in their ab-

¹⁴ [Marginal note:] Say a word on the composition of the Notables. [See the note at the end of this chapter.]

sence. But times had changed. In 1596 France was emerging from a great revolution; it was weary and uncertain of its strength; it sought only for calm and asked of its chiefs only the semblance of deference. The Notables could then make the country forget the Estates General. In 1787 they reawakened the memory.

In the time of Henry IV the princes, great lords, and rich bourgeois called together and consulted by the king were still the heads of society; they could thus check whatever they set in motion and support royalty even while resisting it. These same classes, under Louis XVI, retained only the externals of power; we have seen how they had already lost the substance of it forever.¹⁵ They were now like those resounding hollow bodies easily broken by a single blow. They could still agitate the people but were unable to guide them.

Since this great change had occurred gradually and secretly, no one yet perceived it clearly. Those who had the greatest interest in it were unaware that it had happened; even their adversaries¹⁶ hardly suspected it. The whole nation had been kept apart from its own affairs and now had no more than a troubled view of itself.

Hardly had they assembled when the Notables, forgetting that they were appointees of the prince, chosen by him to give him advice and not lessons, acted as representatives of the country. They asked to see the accounts, censured the actions of the government, and attacked most of the measures of which they were asked merely to facilitate the execution. The government requested their help, and what it got was opposition.¹⁷

Public opinion was soon aroused and threw its weight to their side. All talk and writing supported the Notables. There was thus the strange spectacle of a government trying to become popular by measures favorable to the country's interest and yet remaining un-

¹⁵ [Alexis refers here to his *Old Regime and the Revolution*, published over a year before.]

¹⁶ [Alternate version:] the innovators.

¹⁷ [Marginal note to this paragraph:] Depict this more fully, I think, and lead up to it with a passage containing this idea: already for a long time all the malaise that people felt seemed to come together in discontent with the ruling power and change into a spirit of opposition.

[Note by André Jardin: Tocqueville probably decided against introducing this passage because it would have repeated what is said at the end of the chapter.]

popular, and of an assembly resisting the same measures while enjoying public support.¹⁸

The government proposed to reform the *gabelle* that weighed so heavily and cruelly on the people. It wanted to abolish the *corvée*, reform the *taille*, and suppress the *vingtièmes* from which the upper classes had managed in part to exempt themselves. In place of these abolished or reformed taxes it proposed a land tax on the same basis as our real estate tax today. It pushed out to the frontiers the internal tariffs that hampered commerce and industry. Finally, alongside and almost instead of the intendants who administered each province, it wished to create an elected assembly charged not only with supervising the conduct of affairs but also in most cases with conducting them itself.¹⁹

All these measures were in the spirit of the time, but all were opposed or put off by the Notables. Yet it was the government that was unpopular and the Notables who had the public voice on their side.

Fearing that he had been misunderstood, the minister Calonne explained in a public document that the effect of the new laws would be to relieve the poor of a part of the tax burden and transfer it to the rich. This was true, and yet he remained unpopular. "The priests," he said in another place, "are citizens and subjects above all else. They should be subject to taxation like all others. If the clergy has debts, it should sell some of its property to pay them." This was to touch one of the most sensitive areas of public opinion, which, however, seemed to feel nothing.

To the reform of the *taille*, the Notables objected that it could not be realized without adding a surcharge on other taxpayers, and in particular on the nobles and clergy whose privileges in the matter of taxation were already reduced to nothing. Against abolition of internal tariffs, they peremptorily raised the principle of provincial rights in the levying of certain taxes, which must be dealt with only with great caution. While approving in principle the creation of provincial assemblies, they desired that, at the least, instead of the three orders being mixed together in these small local bodies, they

¹⁸ [Marginal note:] What I lack are sufficient notions on what passed in this first Assembly of Notables.

¹⁹ [Marginal note:] Verify this as soon as possible.

should be kept separate and always have a gentleman or a prelate as president. "For," said some of the bureaux, "these assemblies would tend toward democracy unless directed by the superior understanding of the two higher orders."²⁰

Yet the Notables kept their popularity until the end. They even increased it. In their resistance they were pushed on in the struggle with loud cries. And the king, in hurriedly dismissing them, felt obliged to offer them his thanks.

Several of them were said to be amazed at this public favor and the sudden power that it revealed.

They would have been even more amazed if they had been able to foresee what was to follow. For what they fought against with such popular favor, the new laws that they rejected or tried to delay, rested on the very principles that were to triumph in the Revolution. The traditional institutions through which they blocked the novelties proposed by the government were precisely the institutions that the Revolution would strike down.

What made the Notables popular was not the form of their opposition but the fact of opposition itself. They criticized the abuses of the governing power, censured its wastefulness, and demanded an account of its expenditures; they spoke of the constitutional laws of the country and of fundamental principles limiting the power of the king. Without exactly calling on the nation to regulate its own affairs in the Estates General, they persistently revived the idea of that institution.

It was enough.

The government had long suffered from an ailment, the ordinary and incurable malady of a power that has undertaken the command in everything, to foresee everything, and to do everything. It had become responsible for everything. However different their complaints, all now joined in blaming it; but what had hitherto been only a general inclination now became a universal and impetuous passion. All the unexpressed pain born of frequent contact with ruined institutions, whose wreckage interfered with habits and ideas in a thousand ways, all the repressed anger arising from class divisions, disputed conditions, and ridiculous or oppressive inequali-

²⁰ [Marginal note:] Verify.

ties, now combined against official power. These feelings had long groped for a way to come out into the light of day. When a way opened, they pressed into it blindly. It was not their *natural* route, but it was the first that was offered. The hatred of arbitrary authority thus seemed for a moment to be the sole passion of the French, and the government the common enemy.

[NOTE RELATING TO CHAPTER II]

[TOCQUEVILLE'S separate note concerning the composition of the Notables:]

1. about 9 peers of France
2. 20 nobles without rank
3. 8 councillors of state
4. 4 masters of requests
5. 10 marshals
6. 13 bishops or archbishops
7. about 18 first presidents of parlements
8. various other magistrates, attorneys general, or presidents of sovereign courts
9. about 22 municipal officers of principal towns
10. about 12 deputies from the *pays d'états* (Burgundy, Languedoc, Brittany, Artois)

about 125 or 135 persons, counting the princes of the blood and magistrates other than first presidents.

[Marginal note:] An assembly too numerous to be an effective council, and without sufficient authority to render support.

[Tocqueville was more concerned with the effectiveness of the Assembly as a consultative body than with its composition or representativeness. Since a conflict between bourgeoisie and aristocracy was one of his principal themes, it is surprising to find him taking so little note of it in this connection. His figures above may be compared with those given by Hervé de Tocqueville (see p. 65 above). Hervé's list is exactly copied from Droz's book of 1839 (see above, p. 8*n*), which in turn derives from the proceedings of the Assembly of Notables as officially published in 1788: *Procès-verbal de l'Assemblée des Notables tenue à Versailles en l'année 1787*, Paris, Imprimerie royale, 1788, pp. 3-28. Both Hervé de Tocqueville and Jo-

seph Droz comment on the monopoly of the privileged classes in the Assembly and the underrepresentation of the bourgeoisie. As Hervé said, "almost all the representatives of the Third Estate held municipal offices conferring nobility." Joseph Droz, who had himself been born in 1773 into an old family of *parlementaires* at Besançon, made the same point: "The list of notables consisted of 144 names, almost all of which belonged to the two higher orders. The Third Estate was not really admitted . . . to the discussions." (See his *Histoire du règne de Louis XVI*, Paris, 1839, vol. 1, pp. 470-471, and note that Droz's figure of 144 has been used by historians ever since.)

Alexis made no such comments, and his list obscures the preponderance of the nobility. His bishops, marshals, presidents of parlements, and others were nobles. His category of "nobles without rank" was hardly lacking in rank, since it was composed of one prince, four dukes, seven marquises, eight counts, and one baron. This may be seen in Buchez and Roux, from whom Alexis took his list of members of the Assembly. In Buchez and Roux the term *noblesse sans rang* refers not to rank but to the seating arrangements in the hall where formal sessions of the Assembly met and for which they appended a diagram. While princes of the blood, peers of France, and a few others had seats reserved for them individually, those of the *noblesse sans rang* sat in the place reserved for them as a group but without order of precedence among themselves. (See P.J.B. Buchez and P. C. Roux, *Histoire parlementaire de la Révolution française*, 40 vols., Paris, 1834-1838, vol. 1, pp. 482-485.)]

How the Parlement Overturned the Monarchy by the Use of Precedents

(Struggle of the Parlement against the court, from the end
of the first Notables to September 1788)

THE FEUDAL government, in whose ruins people were still living, had been a government in which the arbitrary and the violent went along with much liberty. Under its laws, actions were often compelled, but speech was almost always proud and independent.²¹

The kings had always exercised legislative power, but never without control. When the great political assemblies ceased to exist in France, the parlements took their place in part. When a new law was proclaimed by the king, the parlements, before entering it in their own law books, would explain their objections to him and offer their advice.

There have long been researches on how it first came about that part of the legislative power was usurped by the judicial power.²² We need look no further than the general customs of the time, which could neither endure nor even conceive of an absolute secret power or an obedience on which at least some discussion was not permitted. The practice was not at all premeditated. It came spontaneously from the habits and ideas of contemporaries, including the habits and ideas of the kings themselves.

An edict, before it was put into effect, was brought before the Parlement. The king's agents set forth its principles and advantages; the magistrates discussed it; all took place in public and in spoken discourse with the virility that characterized medieval institutions. It often happened that the Parlement sent a deputation to the king, sometimes repeatedly, to beg him to modify or withdraw an edict. Sometimes the king came to the Parlement in person; he would let them debate his own law in his own presence with vivacity or even

²¹ [Marginal note:] The only good thing here is the wording.

²² [Variant:] by the Parlement.

with violence. But when he had finally expressed his will, everything returned to an obedient silence, for the magistrates recognized that they were only the first officers and representatives of the prince, charged with informing and enlightening him but not with forcing him to any course of action.

In 1787 the procedure only followed these ancient precedents of the monarchy. The old machine of government was set in motion but was soon to seem driven by a new and unknown kind of engine, which, instead of making it operate, was about to break it down.

The king, as was the custom, had his new edicts brought to the Parlement, and the Parlement, conforming to usage, remonstrated.²³

The king replied, the Parlement insisted. Matters had proceeded in this way for centuries, and the nation had heard this sort of political colloquy between the prince and the magistrates going on over its head from time to time. It had been interrupted only for a while during the reign of Louis XIV. What was now new was the subject of the debate and the nature of the arguments.

This time the Parlement announced that before registering the edicts it must have documentation to support them, and so required communication of the financial accounts, or what would be called a state budget in times when France has had a government under which one could breathe freely. When the king refused, with reason, to turn over the whole government to an irresponsible body that had no mandate or to share the legislative power with a court of justice, the Parlement declared that only the nation had the power to grant new taxes and asked that the nation be assembled.

It was a way of capturing the hearts of the people, but only for a moment.

The arguments used by the magistrates were as new as their de-

²³ [Note by André Jardin: Reference here is to the edicts of June 1787, listed by Tocqueville as follows in his working note]:

1. For freedom of the grain trade
2. Conversion of the *corvée* to a money payment
3. For provincial assemblies
4. Territorial subvention or land tax
5. Stamp tax.

The parlements accepted the first two without objection and the third with amendment; they refused the last two.

mands: the king being only the administrator and not the possessor of the public fortune, the representative and chief officer of the nation and not its master, sovereignty resided only in the nation itself; the nation alone could decide on its great affairs; its rights did not depend on the will of the prince but had their source in the nature of man and were as indestructible as that nature itself.²⁴

When the Parlement was sent into internal exile by the king, it declared in its protest that freedom of action and speech was an inalienable right of man and, short of tyranny, could be taken away only by regular forms of law.

We must not think that the Parlement presented these principles as innovations. On the contrary, it drew them industriously from ancient depths of the monarchy. Its statements bristled with historical quotations, often in a barbarous Latin of the Middle Ages. It dwelt on capitularies, old royal ordinances, decrees, and precedents from the dim recesses of the past.

It is a strange sight to see these ideas that had hardly been born so wrapped in ancient swaddling clothes.

It was an old tradition of the monarchy that the Parlement in its remonstrances might express itself with a manly candor bordering on rudeness. The Parlement habitually made much noise to obtain little. Words went normally beyond ideas, and a kind of exaggeration of language was permitted. The most absolute rulers had allowed the Parlement this freedom because of its very impotence; they were sure of its obedience, knew that they could hold it within limits, and so gladly left it the consolation of speaking freely. Thus in this well-settled society a sort of solemn comedy was acted out before the country. But now the play had changed and had a different audience.

The Parlement now carried its freedom to a point of license unprecedented in its history, for a new fire burned in it and unconsciously inflamed its language. I dare to say that among governments of our time, although most of them rest on force in greater

²⁴ [Marginal note:] Bring in and accumulate and present together all the new theories expressed by the parlements in this conflict; clothe them insofar as possible in the revolutionary words then already in use; in short, show the philosophy of the eighteenth century and a republican spirit poking its head through the tattered rags of the monarchy.

or lesser degree, there is not one that could let its ministers or its measures be attacked so furiously without falling.

It was especially against taxes and fiscal officers that the judicial bodies, even in calmer times, had the habit of expressing themselves with particular vehemence. Their language would seem inconceivable if it were now used for the first time. But they only repeated what had often been said on the same subject. Since in the old monarchy most taxes were collected by private contractors or their agents, who "farmed" them by a concession from the government, the usual view for centuries had been to see in taxes only a profit made by certain persons, not the common interest that they represented. They were regarded as odious exactions whose evils were evident and whose burden was exaggerated; those who collected them were called public robbers who grew rich by impoverishing everybody else. The government itself, which had granted such powers to the farmers, took the same attitude. It was as if the affairs of the tax-farmers were no business of the government, or the government hoped to escape the outcry that pursued its agents.

Thus when the Parlement said . . .²⁵ it only followed its general habit and only repeated what had already been said a hundred times. The play was the same but the audience was much larger. The uproar, instead of remaining as usual within the classes whose privileges made them least sensitive to taxation, was now so loud and widely repeated that it reached those who suffered the most and filled them with frenzy.

The Parlement and the king came together on only one point. They agreed on the edict creating new local powers to be called provincial assemblies.

When we reflect on the importance of such a law and the strange revolution in the whole of government that it implied, we cannot but be astonished at the agreement on this occasion between the two most ancient powers of the monarchy, the one in presenting it, the other in accepting it. Nothing makes us understand better how in this country, where everyone including the women spent time in discoursing on government, the science of human affairs was un-

²⁵ [Note by André Jardin: A blank in the manuscript here, no doubt to make room for a quotation.]

known and how the government, by plunging the nation into such ignorance, ended up by falling into it itself.

—Here show by a rapid analysis how the edict on provincial assemblies managed to demolish the old political system of Europe from top to bottom, replace all at once what was left of feudalism by the democratic republic, aristocracy by democracy, royalty by the republic.—²⁶

I am passing no judgment on the value of the change. I say only that it was an immediate and radical change in all the old institutions and that if the Parlement and the king so deliberately took this path together, it was because they did not see where they were going; they were holding hands in the dark.

If the Parlement used new arguments to restore its ancient rights, the government used arguments no less novel to defend its ancient prerogatives.

—Here bring together whatever I find in the replies of the king and his ministers and in works published by their official supporters, which tend most positively to raise the rich against the poor [the poor against the rich?], the unprivileged against the privileged, the bourgeois against the noble. Then say:

It seems, in short, that the king and the Parlement had divided their roles so as to give the quickest and most convenient education to the people, the Parlement undertaking to teach it the vices of royalty; the king, the crimes of the aristocracy. The Parlement attacked a power that it had no wish to destroy; the king insisted on odious rights that he had no wish to exercise.

While the very principles of government were thus under discussion, the daily work of government threatened to come to a halt. Money was lacking. The Parlement had repulsed the tax proposals; it refused to authorize a loan. In this extremity the king tried to force it, being unable to persuade it. He proceeded to its hall and there, before commanding obedience and being less eager to exercise his rights than to affirm them, he allowed the edicts to be discussed again in his presence.

—Here a very brief account of this session, limited to explaining

²⁶ [See Note 1 at the end of this chapter.]

the principal truths that the king allowed to be expressed for eight hours on this day.—

Meanwhile, after allowing a debate in his presence over the most generally recognized and least feared of the royal rights, the king tried to revive one of the most contested and unpopular of these same rights. He himself had opened the mouths of the speakers; now he would punish them for having spoken. A scene now took place that would make the mildest authority seem like a tyranny.

Two men in particular had called attention to themselves by their bold language and revolutionary dispositions: Goislard and d'Epréménil. A few days after the royal session it was decided to arrest them. Forewarned, they fled from their homes and took refuge at the Parlement, which was about to assemble; they put on their judicial robes and mixed in with the crowd of magistrates that formed this great body. Soldiers surrounded the Palace of Justice and guarded the exits. Their commander, the vicomte d'Agoult, entered the *grand' chambre* alone. The whole Parlement was assembled and sitting in its most solemn form. The number of the magistrates, the venerable antiquity of the court, the gravity of their costume and manner, the extent of their powers, the very majesty of the place so filled with all the memories of our history, all made the Parlement the most august and respected object in France after royalty.²⁷

At the sight of this assembly the military officer was at first disconcerted. He was requested to state his mandate. He replied gruffly but nervously that he had come to seize two members of the court, and asked that they be pointed out to him. The Parlement sat motionless and silent. He withdrew, then returned, and withdrew again. The Parlement remained unmoving and mute; it neither resisted nor yielded.

Night fell. The soldiers lit their fires outside the Palace as if outside a town under siege. A crowd of people surrounded them but did not press. Troubled but not yet menacing, and looking on from afar by the lights of the bivouac, the crowd only contemplated a spectacle so new and strange in the monarchy: how the oldest gov-

²⁷ [Marginal note:] The difficulty and danger in what I say here is that I cannot enter sufficiently into the narrative of events to interest the reader in the facts, and yet what little narrative there is retards the development of the idea.

ernment in Europe could take it upon itself to teach its people to defy the majesty of ancient institutions and violate the most revered of old powers in their own sanctuary.

It was approaching midnight when d'Eprémesnil at last arose. He thanked the Parlement for its efforts to save him and said that he wished to abuse their patience no longer. He commended the public cause and his children to them, descended the steps, and gave himself up. One might suppose that he left this place to mount the scaffold; he was indeed to mount it, but at another time and under other authorities.

The only witness of this strange scene still living today²⁸ has told me that on hearing him many wept. One would suppose that it was Regulus leaving Rome for the nail-studded barrel awaiting him in Carthage. The *maréchal de Noailles* was heard to sob. Alas! how many tears would soon be shed for even higher destinies than these!

These woes were exaggerated but not feigned. In the first days of a revolution emotions go far beyond facts, as at the end they fall far short of them. . . .

It is well known that France was then divided into thirteen judicial areas, each under a parlement. All these parlements were quite independent of one another, all equal in prerogatives, all equally enjoying the power to discuss a legislative order before submitting to it. This seems natural if we remember the time when most of these courts of justice had been established. The different parts of France then differed so much in their interests, outlook, habits, and customs that a uniform legislation could not be applied to all at the same time. The law was usually specific to each province, and it was natural that in each province a parlement should be charged with its "verification." Since then, the French people had become more alike and the laws more uniform, but the power of verification was still divided.

So when a royal edict had been accepted in one part of France, it could still be contested or differently applied in twelve others. Such was surely the case in law, but no longer in usage. A kind of tacit accord had arisen, for men are ordinarily wiser than laws. The particular parlements generally now contested only the acts designed

²⁸ [E. D. duc de Pasquier (1767-1862).]

especially for their own provinces. Most often, they accepted general laws without debate, or after the parlement [of Paris?] had approved them. But now each parlement wanted to assert itself by its own contribution to a common resistance.

A provision in an edict accepted in Paris might be resisted in a province, or one accepted in a province might be opposed in Paris, so that the government, blocked on all sides at the same time by all kinds of adversaries using all sorts of weapons, looked about in vain for a place where it might overcome the resistance by a single blow.

But what was remarkable was not that the attacks were simultaneous but that they expressed a common spirit. Each of the thirteen courts took a different way, but they all converged on the same point. Their remonstrances, which were published at the time, would fill several volumes. Everywhere in them I have found the same ideas in almost the same words.

All complain. . . .

—Here quotations or at least a concise analysis.—

Listen to the clamors of these magistrates all over France and you will suppose it the confused noise of a crowd; listen attentively to what they say and you will hear a single voice.

The union of parlements was not only a means of the Revolution but also a sign of its coming. It implied that the nation was already one, despite the multitude of institutions that seemed still to divide it into a thousand parts; that no part any longer had a life of its own, but that the whole nation already led a common life, had the same interests, and entertained the same ideas.

—Perhaps, after showing the multiple yet united action of the parlements striking from all directions at once with the same aim,²⁹ explain how this judicial insurrection was more dangerous than other insurrections for the government, even military mutiny, because it turned against the government all the regular, civil, moral force that is the habitual instrument of power. A government can put down a disturbance from time to time by using the army, but it defends itself every day through the law courts. Disorders in justice,

²⁹ [An alternate version:] This unity of mind, showing for the first time through a diversity of actions, not only announced a revolution but was the certain sign of a revolution already accomplished. Which is to say . . . and announced a new and very dangerous malady.

or its suppression, are enough to engender a state of affairs that no regular government can endure.

The result of this kind of resistance was less the damage that the courts did themselves to the governing power than the damage that they *let be done*. For example, they established the worst of all liberties of the press, a liberty arising not from a conceded right but from the non-execution of the law and paralysis of the right to repress excesses—[the liberty] of meeting, which allowed the members of each order to raise for a moment the barriers that separated them and meet together in common action. The same as between the orders. . . .³⁰

Six edicts were then issued simultaneously.

—Analyze them perhaps in very few words to show that they were not bad in themselves, indeed that they realized several of the most useful and important reforms (separation of powers, equality of taxation³¹) that the Revolution was to achieve.

The time had not yet arrived when despotism can get itself excused by democracy by providing order and equality. Without delay, the whole nation rose up. . . .

It was the nobility that entered first and most boldly into the common struggle against the absolute power of the king.

It was by displacing the nobles that absolute government had been established. The nobles were the ones most inconvenienced and humbled when some obscure delegate of the central power, called an “intendant,” came every day to regulate their small local affairs without them and often in spite of them. The ruinous state of society stirred up a variety of angry feelings that combined into one common resentment against the government, and it was this common resentment that moved the nobles to action, quite apart from their particular grievances. This may be seen in the nature of their attacks. What they complained of was not that their own po-

³⁰ [At this point André Jardin, in assembling Tocqueville’s somewhat chaotic notes and fragments, expresses uncertainty as to how Tocqueville intended to proceed (OC II, 2, p. 68n1). After a gap, in Jardin’s reconstruction, Tocqueville mentions the edicts of May 1788, of which he made long and careful analysis (see Note IV, pp. 185–187 below). Presumably, at this point in the present chapter he would have explained the edicts more fully if he had ever been able to revise.]

³¹ [Note by André Jardin: Tocqueville is in error here.]

litical privileges were violated but that the common law was being trampled underfoot, freedom of the press curtailed, personal liberty threatened, the provincial estates abolished, the Estates General suspended, the nation treated as a child, and the country deprived of the government of its own affairs.

In this first period of the Revolution, when the war between classes had not yet been declared, the language of the nobility was like that of other classes,³² except that it went further and adopted a higher tone. Their opposition had traits of republicanism, with the same ideas and the same strong feelings animating hearts more proud and minds more accustomed to looking at human greatness face to face.

—Here bring together all the facts belonging to this period before withdrawal of the edicts that illustrate what I have just said *by their actions*: their meetings, their writings, their hesitation in leading soldiers against demonstrators, the nobles of Brittany ready to arm the peasants in a struggle against the royal power! Then resume:—

The opposition of the clergy was no less decided, though more discreet. It naturally took a form characteristic of that body.

—Try to determine the particular character of this clerical opposition, what it had that was special in language and actions; show the particular features of the clergy in all this excitement, the speeches before the parlements, especially at Troyes, the instructions issued by bishops, the assembly of the clergy which *I think* was of this period.³³

At the beginning of the struggle the bourgeoisie was timid and uncertain. It was on the bourgeoisie that the government counted for relief in its distress without losing its ancient rights. It was the particular interests and feelings of this class that the new measures were intended to satisfy. But the bourgeoisie, long accustomed to obey, joined in the resistance apprehensively, with circumspection, still deferential to the government even in opposing it, recognizing its rights while objecting to the use made of them, tempted in a way by its favors, and ready to accept the absolute power if only given some role in it. Even where the bourgeoisie took the lead, it would

³² [Variant:] the bourgeoisie.

³³ [Note by André Jardin: Tocqueville is in error here.]

not risk going alone but advanced as if sheltered by the upper classes. It marched under their protection, sharing in their angry excitement but filled also with feelings of its own as expressed by its own spokesmen.

Then, as the struggle was prolonged, the bourgeoisie became more excited, bolder, more aroused, and moved on ahead of the other classes, taking the leading role which it held until the common people came upon the stage.

—Here strengthen this portrayal with facts. I am inclined to think that in this first part of the struggle the upper classes (whether sword nobility or robe nobility) were always ahead of the bourgeoisie in both language and action, and that the bourgeoisie came to the fore and took the lead, as I have said, only when the problem was the meeting of the Estates General and the class question came into the open. Until then, the bourgeoisie followed rather than led (but see the episode in Dauphiny, where, it seems to me, even at this early stage, the bourgeoisie is in the lead, yet never venturing to act alone). It benefited from the agitation of the upper classes to gain concessions for itself much more than it incited them.—

In this first phase of the struggle no trace of class war.³⁴ One single passion is evident, building up into a common spirit of opposition.

—Rapid and lively description of this spirit as expressed in both large and small matters, appearing everywhere and taking all forms, even those that distort it.—

Some in this struggle against the government appealed to what was left of old liberties . . . [several lines blank].

One man claimed some old privilege of his class, another some long-recognized right of his occupation. In the ardor of attack on the government all kinds of weapons were resorted to, even those that were awkward. It might seem that the aim of the coming revolution was not the destruction of the Old Regime but its restoration. So difficult is it for individuals caught up in great social movements to recognize the true motive force among the causes that impel them! Who would have said that what produced the appeal to

³⁴ [Marginal note:] Quotation to establish this. Reciprocal compliments.

so many traditional rights was the very passion that led on irresistibly to the abolition of them all!

In all this tumult of the upper classes let us try to hear the sound of the storm that begins to agitate the broad sea of the people.

I can see no sign, at our present distance from these events, that shows the population of the countryside to be yet aroused. The peasants go silently about their affairs. This huge part of the nation is mute and as if invisible. The common people in the towns show little of the excitement of the upper classes and remain at first indifferent to the commotion going on over their heads. But when they begin to act, they are clearly moved by a hitherto unknown spirit.

I have said in another part of this work that under the Old Regime nothing was more common than riots; the government was both so strong and so . . . [blank] that it purposely let these passing outbursts run their course. But the moment had come when old things took on new characteristics, riots as well as everything else.

—Here study the facts. Show these shouts in the night, these executions in effigy, this unexpected resistance; something violent, wild, and cruel revealing itself.

Paris, which a hundred thousand men can hardly hold down to-day, was then kept in order only by the watch (define this). This time, the watch was insufficient.—

At the sight of such a new and widespread opposition the government was at first surprised and troubled rather than defeated. It tried all its old arms in turn, and it forged new ones, but this time in vain: admonitions, *lettres de cachet*, exiles to the provinces, employing enough violence to irritate but never enough to intimidate. In any case, a whole people is not to be intimidated.

It sought to arouse the feelings of the people against the rich, of the bourgeoisie against the nobility, of the lower organs of justice against the upper. It was the old game, but now played in vain. It offered favors of money, but men were too aroused to be venal. It appointed new judges, most of whom refused to serve. It tried to distract public attention, which remained fixed. Unable to stop or even limit the freedom of the press, it tried to make it serve its own purpose, going to great expense to have little things written in its defense, and the result was to elicit a thousand pamphlets that attacked it.

At last came an incident that precipitated the crisis. The Parlement of Dauphiny had resisted like the others, and had been punished like the others. But nowhere had the cause it upheld found such unanimous support and such vigorous defenders.

—Specific situation of the province. The *taille réelle*.—³⁵

The former estates [unfinished sentence].

Class grievances perhaps more acute at first than elsewhere. But the common passion silenced all particular passions for a moment.

But where in most other provinces the different classes carried on the war against the government separately and without agreement, in Dauphiny they joined politically together to prepare their resistance. For centuries in the past, Dauphiny had had its own meetings of estates. A few nobles, a few ecclesiastics, and a few bourgeois, after coming together spontaneously at Grenoble, boldly dared to call a meeting of the provincial estates that had been suspended since [blank, actually 1628]. They incited the nobility, the clergy, and the Third Estate to assemble in a château situated [blank] and called Vizille, and give an air of regularity to what was a disorderly proceeding.

—Since I should give importance to these facts in Dauphiny, I must study them better and find what lies beneath them. Thus it seems to me that most of the gentlemen at the assembly of Vizille had a somewhat doubtful right to attend the estates, so that their liberalism was mixed with a kind of relatively democratic spirit.

But, of the clergy, I think that there were hardly any at Vizille except the curés, that is, ecclesiastics who (doubtless) would not have the right of entry into the old estates.

Take care, in making these fine distinctions, not to lose sight of the main point to be emphasized, namely the momentary union of classes and its immediate result of making the absolute power helpless.

Get to know Vizille, its appearance, its location, the château built by Lesdiguières, the great *feudal* château. (Try to see pictures of Vizille, or Vizille itself if possible.)

³⁵ [The *taille*, the oldest continuing regular tax of the French monarchy, was *réelle* where it fell on the status of the land (not of the person), so that it was paid even by nobles who possessed non-noble land or *terre roturière*. So far as nobles possessed such land, they enjoyed less privilege by way of tax exemption.]

Narrate as best I can the affairs of this assembly after re-reading all the notes I have on it. Then say:—

The assembly of Vizille had a great impact throughout France. It was the last time that an event occurring outside Paris exerted so much influence on the general destiny of the country.

The government feared that what had been done so boldly in Dauphiny would be imitated elsewhere. It finally despaired of overcoming the resistance and admitted its defeat. Louis XVI discharged his ministers, abolished or suspended the edicts, and recalled the parlements.

—Make the reader realize that this time it was not merely a matter of concessions on details. It was absolute government that was renounced. It was a sharing in government that was accepted, and for which assurance was given by serious promises of the Estates General.—

It may be said that from this moment the Revolution had triumphed, though it had not yet shown its true colors.

We often find authors writing before the end of 1788 using such expressions as “things happened in such-and-such a way before the Revolution.” We are surprised, since we are in the habit of hearing about the Revolution of 1789. But if we consider the significant actions and public innovations of this year 1788, we see that for centuries there had been no such great change in class relationships or in the government of the country. It was indeed a very great revolution, but one that would soon be lost in the immensity of the one that followed, and so would disappear from the view of history.

We may wonder at the number and the magnitude of the mistakes that the government of Louis XVI had to make before bringing public affairs to the condition they were now in. Yet, arrived at this point, its yielding cannot be seen as a crime. The government abdicated its absolute authority because it had no means of defending it. It could not take shelter in the laws; its own courts were against it. It could not prevail by force; its army chiefs viewed its aims with repugnance. In the old France the absolute authority had never been of a crude kind. It had not been born on the battlefield and had never been maintained by arms. It was essentially a civilian despotism founded less on violence than on art.

The king had been able to create this unrestricted authority only

by dividing the classes, isolating each within its own prejudices, jealousies, and hatreds, so as never to have to deal with more than one of them at a time and so be able to bring against that one the full weight of all the others.

When the French who formed these different classes, breaking through the barriers that had been raised against them, met together in common resistance if only for a single day, it was enough to put the absolute government at their mercy. It was bound to be vanquished on the day when they agreed. And so it was.

The Assembly of Vizille was the material signal, visible to all, of this new union and what it could produce. Thus an event happening in a small province in a corner of the Alps was decisive for all of France. A particular incident suddenly became a principal fact. It revealed to every onlooker what had been visible only to some, it showed everyone where the decisive force lay, and so in a flash determined the victory.

{NOTES RELATING TO CHAPTER III}

{I}

KING'S PROJECT for provincial assemblies presented to the Notables of 1787:

1. Elective assemblies
2. Elected every three years
3. From all estates without distinction.

The first level of these assemblies to be in rural parishes and towns; the second, in districts formed from a certain number of parishes and towns of the area; the third, a meeting of the whole province.

So that there are to be three kinds of assemblies:

1. Provincial [*sic*: clearly meaning "parish"] and municipal assemblies composed of property owners.
2. District assemblies formed by deputies of towns and parishes.
3. Finally, provincial assemblies whose members are deputies from the districts.

Obviously this plan was a far cry from the Old Regime. Shifting society abruptly to a new footing, it meant the radical destruction

of the old order of things as formed in the Middle Ages and of which traces still survived. It was a whole administration of the country without nobility and clergy.³⁶

When we see the king, for no compelling reason, putting forward such a plan, we may conclude:

1. How far the old society was dead at the back of men's minds without their realizing it.
2. How the ideas appearing in connection with the Estates General were a natural growth.

[II]

[The Tone of the Remonstrances of the Parlement of Paris]

REMONSTRANCE OF JULY 24, 1787: AN OUTSPOKEN LESSON FOR THE KING.

The general tone of these remonstrances is to lecture the king rather rudely in both form and substance. In this there was nothing absolutely new. Even under the most powerful kings, before Louis XIV, the parlements had used language whose firmness reached the point of rudeness. But on the one hand, the king could tolerate such language because he was well established among solid and uncontested institutions, and on the other hand, the Parlement that addressed and admonished him so roughly was his principal support against the powers that he feared the most: the nobility and the church. He was therefore not sorry to see the Parlement adopt a tone of independence that strengthened an instrument in his own hands.

Hence there had grown up a kind of tradition of speaking freely, of a bold and even exaggerated style in addressing the king, which had no connection with any corresponding action in the minds of

³⁶ [Tocqueville's note on this note:] According to the project, an income of 600 livres a year was needed to vote in the parish. It was ARISTOCRATIC but not nobiliary. [Tocqueville's inattention to money and numbers is apparent here. An income of 600 livres a year was modest by eighteenth-century standards. A skilled artisan might earn as much, but even if it came to a nonworking owner of property it would hardly make him "aristocratic."]

the king, the nation, or the Parlement itself. It was a kind of empty noise authorized by custom. The king willingly let his Parlement say things that would have bordered on high treason if said by an assembly of nobles or a *grand seigneur*.

These habits of an old feudal society transported into a democratic society in which the people were to play the leading role, instead of producing an empty noise, could not fail to produce revolution. In our own day there is no sovereign power, even in the freest state, that would not find itself in a conflict or a revolution if it allowed language to be used against it such as the Parlement of Paris used against the king in the document that I am analyzing. In its language and conduct there was an anachronism that passed unnoticed but would soon be revealed by the consequences. . . .

The inflation of sentiments, the exaggerated words, the incoherence of images, the references to antiquity that characterized the language of the Revolution were all already in the national way of speaking.

It was impermissible to have calm feelings about anything. It was a necessity, even a commonplace, to refer to the passion at the bottom of one's heart even in cases where it was not felt. Nothing could be talked about simply. Expression had always to go beyond the idea or feeling to be expressed.

MARCH 11, 1788, ETC. NEW REMONSTRANCES ON LETTRES DE CACHET.

[Since November 1787 the duc d'Orléans had been sent into internal exile and two members of the Parlement of Paris imprisoned.]

We see the struggle changing its character. It is no longer a question of registering laws, but a direct struggle against the royal power and existing institutions.

The despotism of *lettres de cachet* painted in the most frightful terms. "It seems inconceivable to dispose of men without judging them, or even hearing them, to plunge them and keep them in darkness where the light of day cannot penetrate, nor any considerations of law, the cry of nature, or the voice of friendship be heard."

PHILOSOPHICAL AND LITERARY LANGUAGE. The *lettres de cachet* are contrary to the laws of nature, man is born free. Philosophical and very abstract discussion of the meaning of human liberty. . . .

The *lettres de cachet* are incompatible with the use of reason, repugnant to human nature, a menace to the rights of man, contrary to the highest principles of the human race.

DEMOCRATIC LANGUAGE. The *lettres de cachet* are used against the poor in favor of the rich. Two citizens are imagined facing each other in an oratorical style. One of them concludes: "Is poverty then a crime? Is simple humanity no longer a title? Is a poor man without credit no longer a citizen?"

THE BASTILLE DESIGNATED IN ADVANCE FOR POPULAR FURY. "Why can Your Majesty not question these victims of arbitrary power, confined and forgotten in impenetrable prisons where injustice and silence reign?" . . . who have been put there "by intrigue, greed, jealousy of power, thirst for vengeance, fear or hatred of justice, or the simple convenience of one man?"

IS THIS DOCUMENT GENUINE? I wonder whether this remonstrance may not be apocryphal. If it is genuine, we should not be surprised at the strength of passions at the time, which make people lose their common sense in attacking so violently an abuse they have tolerated for 150 years without saying a word.

MAY 3, 1788. EXTRAORDINARY SESSION OF PARLEMENT; NEW REMONSTRANCES; MANIFESTO OF CIVIL WAR [after Brienne's failure to obtain financial relief and his decision to reorganize the judiciary].

The government prepares a coup d'état; the Parlement, forewarned, meets and adopts a true bill of rights in which, in the name of *imprescriptible laws* of the nation, it includes the voting of taxes by the Estates General, the irremovability of magistrates, the right of Parlement to register laws, individual liberty and the right to be judged only by one's natural judges. In addition, each member engages himself not to become a member of any other court.

In the preamble the Parlement states that the only cause of the dangers that menace it is its refusal to surrender the public fortune or go along with the old, wasteful habits.

All this was meant to be read and posted in public.

When we see such acts, what surprises us is not that they led to agitation and insurrection but that they did not produce them sooner. The only explanation is the old habit of obedience and failure to understand revolutions.

MAY 4. REMONSTRANCES OF THE PARLEMENT, confirming the resolution adopted the day before. This remonstrance is hardly a judicial document, rather a political one. It speaks the language of civil war, it is a rolling of drums, and all the grand, big words of the Revolution are in it. We are menaced by an "excess of despotism." . . . "Slaves substituted for subjects."

The past and the king's predecessors are attacked in an inflamed style. "Richelieu and his cruelties, Louis XIV and his glory, the Regency and its disorders, the ministers of Louis XV and their indifference, had forever blotted out the very name of the nation; all the stages through which peoples pass on the way to self-abandonment: terror, enthusiasm, corruption, indifference, none were neglected by the ministry to bring on the nation's fall."

"If the Parlement did not oppose, the government would in the end declare itself the co-owner of its subjects' property and master of their freedom."

{III}

[The King's Appeal to Anti-Aristocratic Opinion]

APRIL 17, 1788. THE KING'S REPLY TO THE PARLEMENT.

"If a plurality of my courts were to force my will, the monarchy would be only an aristocracy of magistrates. It would be a strange constitution in which the lawmaking power was subject to as many wills as there are courts of justice in the kingdom."

The king, in calling them "aristocrats," had found the sensitive spot in the nation. So we note that the Parlement became almost furious at the word.

"Ministers see in us no more than ambitious aristocrats when we refuse to share in their despotism."

The word ARISTOCRAT, so often used since, is now taken in this [unfavorable] sense:

"No, Sire, no ARISTOCRACY in France, but no despotism either."

Note:

1. The hidden power of this democratic element in the nation, when men, without seeing it clearly, have a confused sense that the most wounding blow that the king can deliver to his adversaries (1788) is to call them "aristocrats."

2. The mistakes of the upper classes, the general confusion and profound ignorance of all the laws of politics, shown in the phrase "no aristocracy" pronounced by men who from any point of view were the greatest partisans of aristocracy and who, if they wanted anything, wanted to found liberty on old institutions saturated with aristocracy.

A PROTEST OF THE THIRD ESTATE TO THE KING AFTER THE EDICTS OF MAY 8.

One of those pamphlets attributed to writers hired by the [royal] court.

The attempt here is to prove that the Parlement is aroused only by the threat to privileges, that they wish to preserve the right of not paying taxes. What is happening, according to the author, is a formidable alliance of the nobility of the sword and nobility of the robe, under pretense of liberty, to go on humiliating the Third Estate, which only the king defends and wants to raise up.

A premature effort, but worth being considered, at that union of democracy and absolute power to destroy privileges and aristocracy for the benefit of despotism. An effort so often and happily repeated since.

{IV}

{The Edicts of May 1788}

MAY 8, 1788. LIT DE JUSTICE.³⁷ The Parlement is commanded to appear at Versailles, where a *lit de justice*, the last of the monarchy, is held.

HOW THE KING ENTERS FULLY INTO THE SPIRIT OF THE TIME AND EVEN THE COURSE OF THE REVOLUTION, AND YET CANNOT MAKE HIMSELF POPULAR.

1. Justice made more accessible. An organization such as we have today, but still not winning popular favor.

a) *petits bailliages* (presidial courts) with an increased range of final jurisdiction.

b) *grands bailliages* judging criminal cases as courts of last resort and civil cases involving less than 20,000 livres.

³⁷ [See the Glossary for this and other untranslated words.]

c) parlements for appeals of cases involving more than 20,000 livres and special cases involving privileged persons. It is evident that these are our courts of first instance and appellate courts.³⁸

The Parlement, left in existence with reduced powers, is obviously supernumerary, maintained so as not to shock the sovereign courts too violently, but a useless piece due to disappear at some convenient future time.

2. SUPPRESSION OF ALL EXCEPTIONAL COURTS. Contentious issues handled by such courts transferred to the presidials, the *grands bailliages*, or the parlements according to the matter in question.

This great reform reflected all the new ideas on simplification and unity of justice. It destroyed a multitude of offices, as was universally demanded.

It was essentially liberal in transferring to the ordinary courts all disputes in which the government had an interest.

This aspect of it was less striking to contemporaries than it is to us. Since judges in the exceptional courts were irremovable and independent, contemporaries complained that justice was badly administered, where we would blame it above all for not being impartial.

3. REFORM OF THE PENAL LAW.

a) Death sentences to be followed by a period of delay during which recourse may be had to the king.

b) Abolition of the penitent's stool, which shamed the accused before any conviction.

c) Judges required to give their reasons for decisions in criminal cases.

d) The *question préalable* abolished.³⁹

e) Indemnities to be paid to accused persons if acquitted.

³⁸ [Tocqueville's note:] On September 25, 1788, at the opening session of the Parlement, the attorney general, Séguier, delivered a critique of the edicts, and especially this one, in which he raised the most imaginary objections, denouncing as impracticable what has existed easily and without interruption since 1789. Curious to read and perhaps useful to say.

³⁹ [This was the kind of *question*, or torture, used against persons condemned to death to extract information on accomplices. The *question préparatoire*, or torture to force confession, had been abolished in 1780 and had fallen into disuse before that date.]

All this was strongly demanded by public opinion, was in the spirit of the new age, and has been realized since, except for the last item.

4. REDUCTION IN THE NUMBER OF POSITIONS IN THE PARLEMENT. A natural result of the reduction of its business. The king says, with reason, that the principle of irremovability applies only to individuals and cannot prevent the suppression of functions.

Precautions to ease the situation of those whose offices are suppressed; their costs immediately reimbursed; they have a right to new appointments.

Absolutely nothing here of which anyone except the Parlement could complain.

5. ESTABLISHMENT OF A PLENARY COURT. This was the most direct blow against the parlements. They lose the power of registration and hence the right of remonstrance, which is transferred to a single body on which they are generously represented but which takes political power out of their hands.

Grounds for the edicts in the spirit of the time. The reasons given by the king were excellent and conformed to the secret passion of the time for unity and uniformity in the law. Yet it was all seen as a triumph of absolute government. The measure had the following disadvantages:

a) It struck at the *whole* magistracy and not merely at the Parlement of Paris.

b) Yet it left the parlements still in existence.

c) It was useless if there was a real desire to convene the Estates General. It produced a huge and unnecessary agitation, for the arrival of the Estates General would in fact put an end to administration by magistrates.

d) And finally, it created a single powerful body which in certain circumstances might have become formidable.

6. ALL THE PARLEMENTS ARE PUT ON VACATION. Suppression of justice throughout the kingdom. It would be impossible to offer a program more effective in arousing all classes and inflaming their worst imaginings simultaneously.

The Estates General should have been summoned immediately.

[V]

[The New Character of Riots]

FIRST INSURRECTION IN PARIS. THE PEOPLE REAPPEAR ON THE SCENE. THE MONSTER SHOWS ITS HEAD.

[After Brienne's dismissal and Necker's return to office, August 1788:]

Learning of these events, the people of Paris engage in tumultuous and joyful demonstrations, explode fireworks, burn the minister in effigy, insult the guard. They are put down violently, as in the past, but this time they take to arms, burn guardhouses, disarm soldiers, try to set fire to the *hôtel Lamoignon*, and are checked only by the *Gardes françaises*.

I think this is the first riot involving bloodshed since the days of the *Fronde* [since 1648].

NEW SPIRIT IN RIOTING. There had always been grain riots in France. But they had been the work of unorganized crowds without objective or capacity for resistance. Now we see rioting as we have known it since, that is, involving a violent crowd with some organization and aim entering knowingly into civil war and breaking down opposition.

The terrible genius of the Revolutionary riots is already present, but it is still a child.

A pamphlet of the time, signed "Charon" (an unknown person), well written and even-tempered, divides the population into the *public*, the *populace*, and the *rabble*. He says that in this riot the public encouraged the populace and the populace incited the rabble. It is the story of all great riots. How many of them we have seen since!

CAUSES TURNING THE POPULAR JOY INTO VIOLENCE. The same author says: "How many evils have come from the suspension of the law courts? They have affected all classes. They have combined with the troubles of our workshops brought on by the trade treaty,⁴⁰ the shortage of raw materials, the scarcity of money due to fear, and the general stoppage of circulation."

PARTICULAR CAUSES TURNING THE REVOLUTION TO POPULAR VIOLENCE. Independently of the general causes of a revolution and

⁴⁰ [The free trade treaty of 1786 with England. See above, p. 66.]

of a popular revolution, we must consider the economic crisis, which, in the Revolution of 1789 as in modern revolutions, was one of the most effective among secondary causes.

FERMENTATION ALREADY AT WORK. REVOLUTIONARY SPIRIT DEVELOPED BEFORE THE REVOLUTION IN THE MINDS OF THE PEOPLE. Everything that had happened for two years, while not yet bringing the people into the streets, was preparing them for it and making them revolutionary before the Revolution.

The author tells, I think truthfully, of a conversation with his shoemaker, who said that food prices were too high and entirely out of proportion to wages—that the royal court was too expensive—that people were overwhelmed with taxes—that everything was going up. Although you pay us six or seven livres for a fancy shoe, we earn much less than when prices were lower. All that will change only when the Estates General meet.

ANOTHER CAUSE OF POPULAR AGITATION. YOU MIGHT BE LISTENING TO ONE OF OUR CONTEMPORARIES, AND THIS IS BEFORE THE CONSTITUENT ASSEMBLY. Since the confusion of ranks and status, says this author, nothing is respected except enough income to meet the pressing needs of ordinary well-being. Every man at the lower levels of his occupation wants to get out of them. The general dissatisfaction keeps everybody in a state of continuous instability—materialistic artisans—no more good fellowship—much poverty and many efforts to overcome it—tendencies to insubordination (without much success)—unbridled freedom in the lower social ranks—demoralizing and often libelous performances in the cheap theaters.

This is all the more remarkable since the author is very hostile to the government and its measures, happy at the fall of the minister that caused the riot, and extremely indulgent to the rioters in almost siding with them against the watch.

How the Parlements, Just as They Thought Themselves Masters, Suddenly Discovered They Were Nothing⁴¹

WITH THE DEFEAT of the royal authority, the parlements at first thought that they were the ones that had triumphed. They returned to their bench as if after a victory, not an amnesty; and as victors, they supposed that the delights of victory would now be theirs.

The king, in annulling the edicts creating new supreme judges, had ordered that at least the decisions they had rendered should be respected. But the parlements declared void whatever had been decided without them. They arraigned before them the insolent magistrates who had aspired to take their place, and finding medieval language for such a novel offense, they declared them "branded with infamy." One could see throughout France how the friends of the king were punished for having obeyed him and learned by an experience not to be forgotten that obedience henceforth gave no safety.

The intoxication of the parliamentary magistrates is easy to understand. Never had Louis XIV in all his glory been the subject of such universal adulation, if that is the right word for laudatory excesses inspired by genuine and public-spirited feeling.

—Here put all the titles bestowed on them: senators, heroes, etc.—

When the Parlement of Paris was exiled to Troyes (August–September 1787), all the official bodies of the town came in succession to lay their homage at its feet, as if it were the sole sovereign in the country.

—They came bearing the incense of hyperbolic praises: "Their fate plunges us into grief and consternation. . . . They are generous citizens, compassionate and virtuous magistrates. . . ."

⁴¹ [See the translator's note, pp. 194–195 below.]

The officers of the mint at Troyes: "Our descendants will know that this temple (the Palace of Justice)⁴² became the sacred place of your oracles (the place where you handed down your decisions); they will know that their forefathers were witnesses to your patriotic decrees." (I doubt it!)

"You arouse a determination to die for their country in all French hearts. . . . You console the nation in its woes. . . . Your actions are sublime acts of energy and patriotism. . . . The Parlement is an august senate. . . . The principles it upholds are those by which the monarchy is constituted. . . . The cry of the nation recognizes the councillors of the Parlement as its fathers. . . . We do homage to your patriotic virtues and adorn your brows with civic crowns. . . . All Frenchman look upon you with tenderness and veneration."

The Church itself came with its compliments. The cathedral chapter of Troyes: "As much as other orders in the state we have seen with pain . . . this universal mourning of the nation as you are deprived of your functions and removed from the bosom of your families . . . ; in all of which we beheld a spectacle of shame, and while these august halls resounded with the accents of public sorrow, we betook our own sorrows and supplications into our holy temple." (In ordinary style: while others came to the Palace of Justice with their compliments, we prayed for you and your cause in our churches.) "We will follow you with our benedictions, and will no longer conceal the extent of our veneration and our love under cover of our duties of hospitality. Our country and our religion call for a lasting monument to you and what you have done."

Even the university came in its robes and square caps to present its homage in bad nasal Latin:

"*Illustrissimi senatus princeps [sic: principes?] praesides insulati, senatores integerrimi*: we share in the general emotion and testify to the keen sentiments of admiration aroused by your heroic patriotism and constancy in defending the interests of the people. . . . Olden times esteemed only the military valor that made legions of heroes rush from their homes. . . . Today we see heroes of peace in the sanctuary of justice. . . .

⁴² [The phrases in parentheses here and in the next paragraphs are Tocqueville's ironic comments on these quotations.]

"The nation watches you with enthusiasm. You are under the eyes of a Europe made attentive and touched by the spectacle that you offer. . . .

"The palace in which your oracles once re-echoed (the Palace of Justice) has heard only the cries and groans of the citizens since your departure. The nation will raise altars to this august senate, for peace has its heroes as well as war. . . . They are fathers of their country who carried the truth into the palace of kings and pleaded there the cause of the people. . . . Like those high-minded Romans who after defeating the enemies of the state were honored by a triumph before the eyes of their fellow citizens, you will enjoy a triumph (the king had just withdrawn a tax) that will assure you an immortal memory."—

It would be impossible for a judicial body not to be elated when it found itself so suddenly bathed in the delights of political popularity. The first president replied to each address like a king, in a few words, assuring the speaker of the benevolence of the court.

In several provinces the arrest or exile of magistrates had led to riots. In each case their return produced almost insane manifestations of popular joy. In France there are hardly any strong emotions without a bit of absurd exaggeration, or deep concerns that do not degenerate into a bit of a show.

—Principally what happened in Dauphiny and at Bordeaux.⁴³ The scene at Bordeaux would be excellent if it could be recounted quickly and naturally, yet clearly. But how to make the reader feel the comedy in the crowds swarming around the carriage blocking the door, and pursuing the first president into his own house?—

Only a few days had passed when the commotion ended, enthusiasm collapsed, and solitude engulfed them. Not only did the public become indifferent, but all the grievances ever expressed against them, including those that the government had tried to exploit, were now thrown in their faces.

They had been called lawgivers and fathers of their country; now they were not even wanted as judges.

—Here all the reproaches against them at this time.—⁴⁴

⁴³ [See Tocqueville's note, pp. 196–197 below.]

⁴⁴ [See Tocqueville's note below, pp. 198–199.]

For the Parlement of Paris, this fall from popular favor was especially sudden and terrible.

—Portray the isolation, impotence, despair, and sadness so well reproduced in the memoirs of Pasquier, the haughty vengeance of royal power, the nullifying of d'Eprémesnil, their amazement and inability to understand. . . .⁴⁵ They question one another to find out what. . . .—

These magistrates could not see that the flood that had raised them was the very one that now drowned them.⁴⁶ How often in my time have I seen with my own eyes a spectacle like what I have just described!

—Develop the reasons for this.—

Originally the Parlement had been composed of jurisconsults or lawyers chosen by the king from the most capable in their profession. Merit had opened the way to the highest honors of the magistracy for men born in the most humble conditions. The Parlement, then, like the Church, was one of those powerful democratic institutions born and implanted in the aristocratic soil of the Middle Ages, which it penetrated with a kind of equality.

Later the kings, to obtain money, put the right of rendering justice up for sale. The Parlement filled up with rich families that considered the national administration of justice to be their particular privilege. Soon, and with increasingly jealous care, they kept out all others, obeying that singular impulse that seemed to push every particular body into becoming more and more a little closed aristocracy, just as the ideas and habits of the nation made society incline more and more toward democracy. Rules that would never have been accepted in feudal times required that judges in the high courts of justice must be gentlemen.

Surely nothing could be more contrary to the ideas of the time than a judicial caste that had purchased the exclusive right to render justice. No institution, in fact, had been criticized more often and more bitterly for a century than the venality of office.

These judges, whose principle of organization could not be maintained, nevertheless had a rare merit that our better constituted tri-

⁴⁵ [See Tocqueville's note below, pp. 197–198.]

⁴⁶ [See Tocqueville's note below, pp. 200–201.]

bunals today hardly possess. They were independent; they obeyed no passions but their own.⁴⁷

After all the intermediate powers that could balance or moderate the unlimited power of the king had been overthrown, the Parlement alone remained standing.

It could speak when others were silent. It could hold firm for a moment, when all others had long been obliged to bend. Hence it became popular as soon as the government ceased to be so. And when the hatred of despotism became the ardent passion and common sentiment of all the French, the Parlement appeared as the only avenue of freedom remaining open for the country. The faults for which it had been blamed now seemed to be a kind of political guarantee; its very vices offered a shelter. Its spirit of domination, its pride, and its prejudices provided arms to be used by the nation.

But when the absolute power had been definitively overcome and the nation no longer needed a champion to defend its rights, the Parlement became again what it had been before: an old, deformed, and discredited institution handed down from the Middle Ages, and it again took the place it had held in public detestation. To destroy it, the king had only to let it triumph.

[NOTES RELATING TO CHAPTER IV]

[CHAPTER IV illustrates Tocqueville's difficulty in combining a narrative with an analytic treatment. From his own notes written under the chapter titles it is clear that he thought of Chapter III as extending to September 1788 and Chapter V as reaching from September 1788 to the elections in the early months of 1789. Chapter IV has a more analytic purpose: to emphasize the transition in the late summer of 1788 as a sudden change occurring within "only a few days." In Tocqueville's analysis the Revolution really began at this time. That is, the general attitude toward the Parlement turned abruptly from adulation to vilification, the demand for liberty (as

⁴⁷ [Variant:] As a court, the Parlement had rare merits that history should recognize. Its judges were always independent and often enlightened. But however impartial and enlightened, a justice rendered by a small closed aristocracy that had purchased the right to judge was assuredly. . . .

against the monarchy) turned into a demand for equality (as against the privileged orders), and a movement led by the aristocracy began to draw its strength from the bourgeoisie.

But in this conceptual clarity the dynamics of the situation are made less clear. The chronology is confusing. At the beginning of Chapter IV we are in August 1788; the government has just abandoned or postponed its reform program (the May edicts, involving judicial reorganization, the Plenary Court, etc.), Brienne is resigning, and the Parlement is victorious. Tocqueville accumulated notes on the rejoicings in the provinces at this time. (See the following Note I.) But what he put in his draft chapter was an assortment of quotations showing the praises lavished on the Parlement of Paris a year before, during the weeks of its "exile" at Troyes, although the reader has not been told why the Parlement of Paris was then at Troyes (only the barest allusion has been made in Chapter III). Then, in Chapter IV, the weakness of the Parlement is explained by two paragraphs on how it had become more aristocratic since the Middle Ages. An important immediate cause of the collapse of its popularity does not appear until Chapter V, where Tocqueville explains how the government announced (in July 1788) the convening of the Estates General for 1789 and invited all interested persons to make known their views on how the Estates should be organized. It is only in a fragment (Note III below), apparently relating to Chapter IV, that Tocqueville mentions the action taken by the Parlement on September 25, when it ruled that the Estates should meet in three separate orders, as in 1614. It was at this point that the Parlement definitely lost the support of the bourgeoisie, or of the medley of bourgeois, nobles, and pamphleteers who believed that a new system of representation was desirable. In a narrative presentation these matters would be necessary for an understanding of Chapter IV.]

[I]

[Fêtes Celebrating the Restoration of the Parlements]

[By the May edicts of 1788 the government reduced the powers of the parlements, depriving them of their right of remonstrance and transferring some of their jurisdiction to new courts called

grands bailliages to have final judgment in small cases. Faced with resistance, the government withdrew these edicts and re-established the parlements with their previous functions. The following are Tocqueville's notes on the public celebrations that ensued.]

On September 18 [1788] the news of the fall of Lamoignon reached Grenoble. The messenger was overwhelmed with caresses and bravos. Women unable to embrace him embraced his horse. That evening the whole town was spontaneously illuminated. A mannequin representing the minister was burned. Another, representing the *grand bailliage* of Valence (which had complied with the edicts of May 8), was dumped on the public road.

On August 29 news had already arrived of the dismissal of the archbishop of Sens [Brienne]. The streets filled with people who congratulated and embraced one another. . . .

. . . The first president (M. de Bérulle) [of the Parlement of Dauphiny] arrived on October 12. The whole town was in a commotion; the volunteer companies came out to meet and escort him. The first company of grenadiers in scarlet coats, the second of *chasseurs* in green, the third in sky blue.

M. de Bérulle, received more enthusiastically than a king, could hardly make his way through the surrounding country. Everywhere the populations accompanied him in arms; at every halt there were speeches. He passed under arches of triumph from the top of which crowns were thrown down at him. Cannon were fired.

At the opening of the parlement (October 20) there were more demonstrations. It was an endless setting of triumphal arches, ingenious transparencies, magnificent illuminations. . . .

All the corporate bodies paraded before him, offering grandiloquent compliments. To all of them the first president replied like a king, in brief and dignified language. Each group was made to feel the exact degree of satisfaction or displeasure that its actions since May 8 had caused. Some received the first president's assurance of his protection, others of his good will.

Was the Capitol ever so close to the Tarpeian rock?

[And at Bordeaux on October 20, 1788:]

The people unhitch the carriage of the first president [of the Parlement of Bordeaux] and usher him into his apartments. The

eldest member of the parlement (La Colonie), a man almost ninety years old, cries out: "My children, tell all this to your descendants, that the memory of it may keep alight the fire of patriotism." This man had spent his earliest years under Louis XIV. See what changes in ideas and language can occur among a people during the lifetime of one man!

Magistrates who had wanted to obey the king were hooted; the first president pronounced their public censure.

A mannequin dressed as a cardinal was burned in the public square, which did not prevent the clergy from singing a *Te Deum*.

The parlement, in ratifying the decree that recalled it, took care to disallow all judgments made in its absence and to open the way for appeals for all those judged by the *grands bailliages* as courts of last resort.

[And at Troyes, to which the Parlement of Paris had been exiled a year before, there were the same rejoicings in September 1788 at the news that the Parlement had been re-established in Paris:]

Illuminations, fireworks, general hubbub. . . .

A silly black goose represented M. de Lamoignon, a violet one the cardinal de Brienne.⁴⁸ Those who had supported the king were reduced to silence. The town was full of topical verses, for literature and wit were then brought into everything. A certain canon with whom d'Eprémesnil had lodged during the exile of the Parlement put some Latin verses on a transparency in honor of this great man:

Exilio magnus, legum sed major amore,
D'Eprémesnil renovat gaudia nostra redux.⁴⁹

What did d'Eprémesnil and the canon think six months later?

{II}

{d'Eprémesnil}

[By the nullifying of d'Eprémesnil, Tocqueville meant his rapid descent from martyr to nonentity, as shown in the following working note:]

⁴⁸ [Brienne, though an archbishop, was not yet a cardinal.]

⁴⁹ [Great in exile, greater in love of the laws, / D'Eprémesnil on returning renews our rejoicing.]

The same act that brought the Parlement of Paris back into the Palace of Justice gave d'Eprémésnil his liberty. Remember the dramatic scene of his seizure, his words à la Regulus, the tears of his audience, his immense popularity as a Martyr. He was detained at Sainte-Marguerite. He left immediately upon the news of his liberation. On his way, he was at first acclaimed as a great man, but as he advanced he found himself less famous, and on his arrival in Paris no one paid him any attention. On the next day, he was an object of mockery. For him to pass from triumph to ridicule took no more time than was necessary to go 150 leagues posthaste.

{III}

How the Parlement in Its Triumph Buried Itself with Its Own Hands

In its ruling of September 25, 1788, the Parlement decided "to request the king to assemble the Estates General in the form of 1614."

On July 5, 1788, when the king convinced the nation that it would really have the Estates General, he turned its attention to the composition of that assembly and so to the question of class. From that day the affair of the Parlement became secondary, and the true mother passion of the Revolution, the passion of class that the Parlement did not represent, overshadowed the struggle against the royal power, which others would represent better than the Parlement did.

VIOLENT ATTACKS REPLACE THE PLAUDITS.—The ruling with the clause quoted above was dated September 25, 1788. I find a pamphlet dated the twenty-eighth, only three days later, which says that agitators are tearing the Parlement to pieces because of this clause. Why such clamor against it? asks this anonymous defender. Why so many insidious suppositions?

Because up to now you have been the instrument of the dominant passion, and today you put yourselves in the way of a new one.

[Tocqueville then quotes and paraphrases the attacks on the Parlement.]

France is inundated with pamphlets in which the Parlement is not only not praised but is actually vilified; its very liberalism is turned

against it, and revolutionaries show themselves more royalist than the Parlement.

"They are judges that understand nothing of politics. They only want to dominate and to use the people for political purposes.

"They agree with the nobility and clergy, and are just as much enemies of the Third Estate, that is, of almost the entire nation. They have thought that this would be forgotten if they only attacked despotism. They make the rights of the nation problematical, even as they defend them, by giving the false color of voluntary concessions to rights born of the social contract." (A pamphlet attributed to Servan, *Glose sur l'arrêté du Parlement*, London, 1789.)

Linguet, in a pamphlet violent and insulting, yet often expressing the truth, calls them a company of the *robe* usurping the right to speak as representatives of the people:

Who authorizes them to act as its interpreters? They have never been more than officers of the king.

They are a *robinesque* aristocracy.⁵⁰ What the people demand is a supreme, preponderant, and single authority to defend them against the mummerly of miters, noble swords, and judicial caps.

It is by the treachery of the courts, by their self-interested villainy in putting themselves in place of the people for certain rights, that the people have lost the rights that they demand today.

The parlements have obtained the Estates General to their own great surprise and great regret. For they are going to lose the right of registration that they have so abused and so tyrannically applied; they will fall back into the limited and obscure orbit of their natural functions.

What greater abuse than their existence? The right of judging, of disposing of men's goods, life, and honor, sold like the stuff their robes are made of, the symbol of it all.

Your rightful power was to represent the king. At war with the king, what are you?

No more *robinocratic* or ministerial despotism. In this tract all sorts of private views are attributed to the Parlement that it did not have, and the very words that made it popular three months before are turned against it.

⁵⁰ [*Robin* was a familiar and mildly contemptuous word for a lawyer; *robinesque* and *robinocratique*, below, are nonce words generated by the controversy.]

{IV}

How the Parlements Had Never Been
More Powerful, Aggressive, and Seemingly
Deep-rooted than at the Moment When They
Counted for Nothing

Seeing themselves so popular even with doctrines that were self-interested and contrary to the spirit of the time, how could the parlements not believe themselves to be deeply rooted and a force in their own right?

How could they guess that what made them popular came from a hatred for the very institutions that they represented and defended, a hatred which, by a singular conjunction of circumstances, found them momentarily useful?

It is curious, because it is a history repeated at the beginning of many other revolutions.

Never in the five hundred years that they had existed had the parlements used such harsh language with the king, or spoken to him so much as rivals or even masters, or laid such claim to legislative power. Never had they expressed a theory claiming so much authority for themselves. Never had they proclaimed in a manner so novel yet formidable and authentic the doctrine that all the parlements formed a single body, of which the Parlement of Paris was the head, and that each of them had the right to deliberate on *all* acts of government in *all* of France.

And yet the Parlement was based on nothing. After having served as the great arm of the king against the aristocracy, the Church, and the provincial spirit, it was now no more than an embarrassment and an encumbrance to the royal authority. It had become too heavy an instrument, too defective and dangerous to handle, for the uses that were now to be made of it. It was out of proportion to its object.

As an institution, it was no less outmoded in the minds of the people. The whole political and social state that the Parlement itself had helped to establish, all the ideas that flowed naturally from this state or were derived from it artificially, were contrary to a body of judges who had purchased the right to render justice, who held it by

inheritance, who possessed individually or as a body all sorts of privileges, and who, in addition, combined their proper judicial function with political functions that were not their proper role.

But this change in conditions, laws, and ideas which made the Parlement an awkward and dangerous instrument in the eyes of the king and a badly designed instrument in the eyes of the people had produced in the nation a vague desire for innovation, a taste for change, a spirit of independence, and a desire to take control, which on all sides pushed on to resist authority.

This new and irregular power of opinion found in the Parlement the only instrument it could use. It seized on it not to make the Parlement more powerful, not to make it a popular body, but because it was the only body in France that remained sufficiently strong, large, and organized to struggle against the royal power and unsettle a constitution that many wished to overthrow.

As soon as it became possible to create a new instrument of resistance more suited to the new passions in origin, principle, and structure, this old instrument that was good only for shaking up the others became a victim of the common hatred, as if dragged down by its own weight and without anyone, so to speak, having to lay a hand on it. And so a giant that had so recently seemed to have a hundred arms and whose voice had resounded for ten months over all France, suddenly sank back and expired, unable to breathe even a sigh.

How Just as the Absolute Power Was Conquered the True Spirit of the Revolution Suddenly Showed Itself

(from September 1788 to the elections)

THE BOND of a common passion had held all classes momentarily together. They separated as soon as the bond was loosened; and the true face of the Revolution, hitherto veiled, became visible all at once.

With the king defeated, the question was who would benefit from the victory. The Estates General were now to meet, but who would dominate in their assembly?

The king, who could no longer delay the Estates, still had the power to decide the form in which they should sit. No one contested his right, which he could have exercised anyway on grounds of necessity. The Estates General had not met for 160 years.⁵¹ No more than a vague memory of them remained. No one knew exactly what should be the number of deputies, the relationship between the orders, the mode of election, or the procedure for deliberation. Only the king could say. He said nothing.

On these matters his first minister, Cardinal Brienne, had a strange idea, and he persuaded his master to make a decision without parallel in all history. Whether the vote should be universal or restricted, the assembly numerous or small, the orders separate or united, or equal or unequal in rights was treated as a matter for erudite study, and hence an order in council charged all the constituted bodies with undertaking researches on the holding of ancient Estates General and the various forms that had been followed. The order added: "His Majesty invites all men of learning and other educated persons in his kingdom, especially those of the Academy of

⁵¹ [Note by André Jardin: The last Estates General had been held in 1614, hence 175 years before.]

Inscriptions and Belles-lettres, to address all findings and memoirs on this question to M. the Keeper of the Seals.”⁵²

It was to treat the constitution of the country like a question set by an academy for a prize contest.

The call was heard. Soon everyone wanted to offer his opinion;⁵³ and since France was the most literary country in Europe, at a time when literature clothed the feelings of the time in the heavy garments of erudition, the land was inundated with writings.⁵⁴ All local authorities debated on their reply to the king, all particular bodies made their claims, all classes dreamed of their particular interests and searched in the ruins of the old Estates General for the forms most likely to guarantee them.

The struggle between classes, which was inevitable but which would more naturally have begun later during the meeting of the Estates, in a regular manner, on a limited ground, and on specific issues, now found instead an unlimited field of action and was enlivened by general ideas. It soon took on a character of uncommon audacity and unheard-of violence, which the secret state of feelings makes understandable but which no actual event had laid the way for . . . [a word left blank].

About five months passed between the king's abdication of the royal power and the beginning of the elections. During this time there was almost no change in the facts, but the movement pushing the ideas and feelings of the French toward the total subversion of society became more precipitous and furiously rapid.

At first, all that was considered was the constitution of the Estates General, and big books of raw erudition were hastily written in the attempt to reconcile the Middle Ages to the ideas of the moment. Then the old Estates General were forgotten, the old lumber of precedents was thrown away, and there followed a general and abstract

⁵² [In his working notes, Tocqueville comments on this passage:]

Make use of this item, since it shows the state of political education in France. It gives an idea of the prodigious and truly unheard-of incapacity of these poor unfortunates who had the task of guiding affairs at this momentous time. It is also in this connection that a movement that had been liberal up to this point suddenly showed its true character, and the struggle against despotism became a struggle of classes.

⁵³ [Variant:] There was no one who had written or was able to write who did not attempt. . . .

⁵⁴ [Marginal note:] Perhaps a sentence here to characterize these diverse writings.

discussion of what the legislative power ought to be. Views expanded as the argument proceeded; it was no longer a question of the constitution of the legislature alone but of power itself, no longer of the form of government but of changing the very basis of society. At first they talked only of a better balance of powers, a better adjustment between classes; soon they walked, they ran, they threw themselves on the idea of pure democracy. At first it was Montesquieu who was quoted and commented on; at the end, it was only Rousseau. Rousseau became and was to remain the sole teacher of the Revolution in its first stage.

The notion of government was simplified. Numbers alone became the basis for law and right. Politics was reduced to a question of arithmetic. The root of everything to follow was planted in these ideas. There is hardly an opinion professed during the course of the Revolution that cannot sometimes be found in these writings, nor acts of the Revolution not already announced or surpassed.

—Quotations—⁵⁵

The government itself had asked for a discussion of government, but could not limit its scope.

The movement that stirred ideas drove passions toward the same end with furious speed.

At first the Third Estate showed a jealousy toward some of the privileged without violence against persons. Then the language became more bitter; rivalry led to more jealousy and hatred turned into frenzy. Accumulated memories were mixed together into an enormous mass, lifted by a thousand arms to smash the head of the aristocracy. In the beginning, the nobility was blamed for pressing its rights too far. Toward the end, it was said to have no rights at all. At first, its rivals wanted to share power with it. Soon they denied it any power whatever. Not only should the nobles not be masters, they should hardly have the right to be citizens; they were strangers who had imposed themselves on the nation and were finally rejected by it. . . .

⁵⁵ [See Tocqueville's working note below, p. 212. He apparently intended to insert here quotations from statements drafted by corporate bodies in Lyon, Bourges, and other towns and from pamphlets by Sieyès, Rabaut Saint-Etienne, and others which he had been reading before drafting this chapter.]

—Quotation from Sieyès—⁵⁶

For the first time, perhaps, since the beginning of the world, we see upper classes so isolated and separated from the others that they can be counted and turned aside like condemned animals in a flock of sheep, middle classes that no longer attempt to mingle with the upper but try carefully to avoid contact; two symptoms which, if they had been understood, would have shown the immensity of the revolution that was to come, or, rather, that had already taken place. . . .

Publications attacking the privileged persons were innumerable; those defending them were so few that it is hard to determine what was said in their favor. It may seem surprising that the classes under attack, which held most of the high public employments and owned most of the land, should have found so few and such feeble defenders when so many eloquent voices have pleaded their cause since they have been vanquished, decimated, and ruined. It is understandable if we think of the extreme confusion into which this aristocracy fell when the rest of the nation, after marching in concert with them, suddenly turned angrily against them. The aristocracy, much surprised, saw their own ideas now used to assail them. Notions fundamental to their own outlook were brought in to destroy them. What had been an intellectual amusement in their leisure was now a terrible weapon turned against them.

Like their adversaries, these aristocrats gladly believed that the most perfect society would be one that came closest to natural equality, where merit alone and not birth or fortune would be the basis of social classification, where the government would represent the general will and a numerical majority would make the law. If interests differed, ideas were the same. What people of all classes knew of politics was only what they had read in books, and always the same books. The nobles might have made the Revolution if only they had been commoners.⁵⁷

⁵⁶ [Note by André Jardin: Apparently referring to the following passage in Sieyès's *What Is the Third Estate?*: "Why should we not send back to the forests of Franconia all those families that foolishly claim descent from a race of conquerors and succession to their rights?"]

"The nation, thus purified, might have the consolation, I suppose, of thinking itself descended from Gauls and Romans."]

⁵⁷ The only difference is that their adversaries had an interest in realizing this Uto-

So when they saw themselves suddenly attacked, they were singularly embarrassed in their own defense. None of them had ever thought of what had to be said to justify their privileges in the eyes of the people. They did not know how to explain that only an aristocracy can preserve the people from the oppression of tyranny and the misery of revolutions, so that privileges seeming to benefit only their possessors are the best guarantee of the peace and well-being of those who do not have them. All the arguments so familiar to classes that have long been practiced in affairs and understand the science of government were new and unknown to them. They were reduced to talking about services rendered by their ancestors six hundred years before. They appealed to old claims from a past that was abhorred. They pretended to be the only ones knowing how to handle arms or to maintain traditions of military courage. Their language was often arrogant because they were in the habit of being first,⁵⁸ but it was indecisive because they had doubts of their own right. . . .

—Put here or above a discussion of systems for doubling the Third Estate and voting in common. Note divisions inside the parties attacked, show the spirit of rivalry and contention arising even inside the separated groups: nobility against clergy, clergy against nobility, lesser nobles against greater, curés against bishops.—⁵⁹

The discussion provoked by the royal edict, after having gone through the cycle of human institutions, always ended up with the two points that summarized the conflict for practical purposes:

In the Estates General that were about to meet should the third order have a more numerous representation than each of the other two, so that its deputies should be equal in number to those of the nobility and clergy combined?

Should the orders thus constituted deliberate together or separately?

pia, they did not. . . .

Unfortunately, one side had everything to gain, the other everything to lose, in the realization of this social improvement.

⁵⁸ [Variant:] of looking down on those to whom they spoke.

⁵⁹ [Alternate version:] Show how a kind of bewilderment and disaggregation reigns. It was not only the bourgeoisie that made war on the nobility, it was lesser nobles against greater, lower clergy against upper! Until the Revolution simplified the division and brought together the diverse occupants of the same compartment.

The doubling of the Third and the vote in common in a single assembly seemed at that time less new and important than they really were. Their novelty and significance were concealed by some minor contemporary or earlier facts.

For centuries the provincial estates of Languedoc had been composed and had deliberated in this way, with no other result than to give the bourgeoisie a greater role in affairs and to create common interests and easier relations between it and the other two orders. Instead of dividing the classes, it brought them together.

The king himself seemed to have pronounced in favor of this system, for he had recently given this structure to the provincial assemblies by the edict establishing them in all provinces that did not have their own estates. It was not yet obvious, though uncertainly foreseen, that an arrangement which, when established in a province, only modified the ancient constitution was bound to upset it violently and from top to bottom as soon as an attempt was made to apply it to the State as a whole.

It was evident that the Third Estate, equal in number to the two others in a general assembly of the nation, would immediately predominate, not merely by taking part in affairs but by becoming absolute master, for it would be united against two groups, each not only divided from the other but also divided within itself—one side having the same interests, passions, and aims, the other having distinct interests, different aims, and often conflicting passions.

One side had the current of public excitement for it, the other against it; and this external pressure on the assembly could not but hold members of the Third Estate together while detaching from the nobility and clergy all those who hoped to heighten their reputation or find a new way to power.⁶⁰ In the estates of Languedoc each bourgeois felt the weight of the whole aristocracy, which dominated in ideas and customs.⁶¹ Here the opposite was bound to occur, and the Third Estate could not fail to have a majority even

⁶⁰ [Alternate version:] This external force acting on the assembly could not but force a certain number of nobles and priests to join with the Third.

⁶¹ [Alternate version:] In the estates of Languedoc it was usual for some bourgeois to abandon their order and vote with the nobles and bishops, because the existing strength of the aristocracy, still dominant in ideas and customs, made its weight felt upon them.

though in the number of its own deputies it was only equal to the other two.

Its impact on the assembly was bound to be not only preponderant but also violent, for it would meet there with everything that was likely to arouse human passions. To make men with contrary opinions live together is in any case difficult. But to shut up in one arena political bodies already formed, each with its own origin, its own past, its own procedures, and its own individual spirit; to have them constantly confronting one another while working to limit one another's rights; to force them to communicate continuously without intermediaries—all this was to provoke not discussion, but war.⁶²

This majority, inflamed by its own passions and those of its adversaries, was all-powerful because it alone was going to determine the law. Nothing could stop or even retard its movements, because nothing remained to restrain it except a royal power that was already disarmed and which could do nothing but yield under the pressure of an assembly consisting of only one chamber.

This was not to change the balance of power gradually; it was to turn it suddenly upside down. It was not to let the Third Estate share in the exorbitant rights of the aristocracy; it was to transfer all power to other hands. It was to deliver up the direction of affairs to one passion, one interest, one single idea. It was to make not a reform but a revolution.

Mounier, who alone among the innovators at this time appears to have had a true idea of free and regular government, Mounier, who later in his definitive plan took care to provide for a division of powers, was favorable to the merging of the three orders into one assembly, and he gave his reason candidly: "Above all, we need an assembly that will destroy what remains of the ancient constitution, the particular rights and regional privileges; this would never be done by an upper chamber composed of nobles and clergy."⁶³

In any case it seems that the doubling of the Third and the vote of

⁶² [Marginal note:] Perhaps eliminate this passage, which is debatable and dangerous. Limit myself to showing the madness of the king, who did everything to lose the game.

⁶³ [Note by André Jardin: Tocqueville does not quote literally, but summarizes, an essential idea in Mounier's *Nouvelles observations sur les Etats-généraux*, published at this time.]

the three orders in common were inseparable questions. For what good would it do to increase the number of deputies of the Third if the Third was to deliberate and vote separately?

The government imagined that it could separate them.⁶⁴

M. Necker was then directing the will of the king, and briefly serving as the idol of the whole nation. . . . His characteristics have been so forgotten that it is hard to see him distinctly. He was one of those people who never know where they are going because they guide themselves not by what is in their own minds but by what they think is in the minds of others.

It cannot be doubted that Necker wanted both the doubling of the Third and the vote in common. It is very probable that the king himself inclined in the same direction. It was the king that the aristocracy had just defeated. It was the aristocracy that had defied him most openly, raised up the other classes against the royal authority, and led them to victory. He had felt its blows and was not perceptive enough to detect its secret weakness. He willingly delivered it into the hands of allies who became its adversaries. Like his minister, the king therefore was inclined to constitute the Estates General as the Third Estate wanted.

But they dared not go so far. They stopped halfway, not from any clear view of the dangers but because of the vain clamor ringing in their ears. What man or class, occupying a high position, has ever seen the moment when descent was necessary to avoid being forcibly pulled down?

The question of numbers was resolved in favor of the Third, while the question of the vote in common was left undecided. Of all possible options, this was surely the most dangerous.

Nothing, it is true, nourishes despotism so much as class hatreds and jealousies. Indeed, despotism lives on them, but only if they are no more than a quiet and bitter feeling, strong enough to prevent people from reaching agreements yet not strong enough to make them fight. But any government will collapse in a violent conflict between classes once they have begun to collide.⁶⁵

⁶⁴ Perhaps here a portrait of M. Necker. Be careful here, but his importance at this time may justify it here.

⁶⁵ [Variant:] Any government will perish in a violent class struggle once it can no longer prevent its beginning.

It was late in the day to try to maintain the ancient constitution of the Estates General, even with improvements. If attempted, such a bold move would rely on ancient usage, with the advantage of tradition using the instrument of the law.

To grant both the doubling of the Third and the vote in common would doubtless have been to make a revolution, but a revolution from above. The existing authority, while ruining the old institutions of the country, would have softened their fall. The upper classes would have adjusted in advance to an unavoidable destiny. Feeling the strength against them of both royalty and the Third Estate, they would have seen their own powerlessness at once. Instead of madly fighting to preserve everything, they would have fought not to lose all.⁶⁶

In Dauphiny the assembled estates voted together, in common, in choosing deputies of the three orders to go to Versailles. The assembly in Dauphiny was indeed composed of the three orders, with each order chosen from within itself and representing only itself, but the deputies sent to the Estates General from Dauphiny were chosen by the whole assembly, so that each gentleman had some bourgeois among those who had elected him and each bourgeois deputy had some nobles. The three deputations, while remaining distinct, thus were in a way homogeneous. It may be that if the three orders had been represented in this way at the national level they might have been able, if not to agree, at least to avoid colliding so violently in a combined assembly.⁶⁷

But we must not attribute too much importance to these procedural details. Human affairs are determined by human ideas and passions, not by machinery of the laws. It is always in the depths of the mind that facts are molded as they are then produced in the outside world.

Whatever decision had been taken on the form and regulation for these assemblies of the nation, it must be supposed that the war be-

⁶⁶ [Variant:] The upper classes, feeling the weight of royalty added to that of the Third Estate, would have lost hope of keeping the preponderance and would have fought only for equality. They would have become used to the idea.

⁶⁷ [Variant:] What was done in Dauphiny could have been done everywhere else. Would orders formed in this way have been able to act in a combined assembly without colliding too violently?

tween classes would have broken out violently. Class hatreds were already too inflamed to make common action possible, and the royal power was too weakened to restrain them. But it must be admitted that nothing that was done could have been better contrived to produce an immediate and deadly conflict.

Try to see whether any art or ingenuity, deliberately employed, could have succeeded better than clumsiness and shortsightedness! The Third Estate had been encouraged to be bold, to be ready for war, to count on its numbers. Its ardor had been increased, and its weight had been doubled. It had been allowed to form all kinds of hopes, then left with all kinds of fears. It had been led to expect victory, then left without it. It had been invited to prevail.

After five months in which the two classes had time to refresh and ripen their old hatreds, to go over again the long history of their mutual complaints and rage against each other to the point of frenzy, they were left in a state of confrontation to debate the question that contained all others, the one question to which it seemed that all others and all their quarrels could be reduced immediately and forever.

What strikes me the most forcibly is not the genius of those who served the Revolution while wishing it but the extraordinary imbecility of those who brought it on without wanting it.⁶⁸ When I consider the French Revolution, I am amazed at the prodigious grandeur of the event, at its dazzling message seen to the ends of the earth, at its power, by which all peoples have been affected in varying degree.

Then I think of that court that had so great a part in the Revolution, and I see the most commonplace scenes that history can discover: foolish and incompetent ministers, debauched priests and futile women, audacious and greedy courtiers, a king with only useless and dangerous virtues. Yet I see these petty personages facilitating, pushing, precipitating immense events. They not only play a part; being more than accidents, they become almost primary causes; and I marvel at the power of God, who can move the whole mass of human societies with such short levers.

⁶⁸ [Variant:] What strikes me the most in the affairs of this world is not the part played by great men but the influence often exercised by the least important.

[NOTES RELATING TO CHAPTER V]

[I]

Collective Statements Published by Associations,
Communities, and Bodies

How, after reading all these papers and seeing the real chasm (covered up only by rhetorical precautions and fine sentiments) that was opening in men's minds between the past and the present, between what was and what they wished to be, between the point of view of the nobles and clergy and that of all others, how, I say, can one not see that the *Revolution* was inevitable, or rather, that it was made in advance.⁶⁹

What strikes me is less the class passions that animate all this polemic, less the jealousies, rancors, and struggle of contrary interests that are evident, than the underlying basis of thinking (to which everything is referred and which produces the final result of revolutions).

Even those showing the most respect for privileges, for particular rights, consider these rights and privileges as completely unjustifiable. Not only the ones of long standing, but particular rights and privileges of any kind. The very idea of a temperate and prudent government, that is, of a government in which the different classes forming society and the different interests that divide it act as counterweights to one another, or in which men count not only as units but according to their property, their patronage, their interest in the general good . . . all these are absent from the thoughts of the most moderate (partly, I think, even of the privileged persons) and are replaced by the idea of a crowd of similar elements represented by deputies, who represent *number* rather than interests or persons.⁷⁰

⁶⁹ In the first part of the year [1788] this basic attitude was concealed; it became obvious in the second. Leading idea.

⁷⁰ Go further with this thought and show how the Revolution was in this idea more than in the facts of what happened; that it was practically impossible for ideas to be what they were without the facts being as we know them.

[The reader may see here a new statement of the fears of "individualism" expressed in *Democracy in America*: that a democratic society may dissolve into a mass of equal but equally ineffective individuals isolated from one another, each concerned with himself, unable to come together in any action for the public good.]

{II}

[On a separate sheet attached to this chapter:]

Radicalism of the moderates. Emphasize it. It is the moderates who show most clearly what ideas were current. This is also the most original way to take hold of the subject.

[Another note illustrating this point:]

CONVOCATION OF THE ESTATES GENERAL, by Lacretelle. It seems that this pamphlet was quite widely read. Although moderate in language and respectful to persons, it is nonetheless singularly *radical* and *revolutionary* in its conclusions, and nothing shows better the violent current of the time than to find such thoughts and language in such a benevolent and well-intentioned *fool* as Lacretelle.

As in Roederer, all the arguments for forming a government are based on natural law, the rights of man, and metaphysics. Anything else seems to the author so false and even absurd that he does not know how to combat it.

It seems that, like Roederer, he is dealing with the constitution of an ideal people and has no perception of the past or of old influences and interests. It is surprising to see absolutely *nobody* upholding principles in this matter. Thirty years before, there would have been. Montesquieu had defended or at least noted them. No one in 1788 understands them, not even the interested parties; or from political expediency they dare not maintain them. The ideas of Rousseau are a flood submerging for a moment all this part of the human mind and human knowledge.

While saying that reasonable prerogatives of the orders should be respected, Lacretelle reasons as if there should be no order or class of any kind and as if the problem was to represent everyone as completely as possible, with *numerical* majority the rule.

He seems to accept some property qualification for elections and to see some usefulness in two legislative houses. What he cannot understand is that there should exist different orders with a mutual veto, and he indicates clearly that if the king should wish to maintain such an arrangement, the Third Estate should refuse to vote.

How the Drafting of the *Cahiers* Made the Idea of a Radical Revolution Sink Deeply into the Minds of the People⁷¹

WHAT IS MOST striking in the imperfect institutions of the Middle Ages is that they were so diverse and genuine. They went straight to their objective and gave all the liberties⁷² that they seemed to promise. There was no guile or artifice in them.

When the Third Estate was called to take part in general assemblies of the nation, it was granted an unlimited faculty for expressing grievances and submitting petitions.

In the towns designated to send deputies to the Estates General the whole people was invited to give its opinion on abuses to be suppressed and on requests to be made. Independently of the general communal assemblies where affairs were publicly discussed and decided, each guild or group might express its grievances and wishes. Moreover, each particular person had the right to make his complaint.⁷³ The means were as simple as the procedure was bold. Until the sixteenth century in the towns (even Paris) there was a big box into which people put a paper expressing their grievances. From all these various sources came an organized memoir⁷⁴ to include what each and all had to complain of, expressed with a boundless liberty and often an extraordinary asperity of language.

⁷¹ [See Tocqueville's note, p. 217 below.]

⁷² [Variant:] all the rights.

⁷³ [Variant:] No one was excluded from the right of making a complaint; each could express his grievance in his own way. [Tocqueville's idealized Middle Ages to set against the troubles of the eighteenth century!]

⁷⁴ [A working note showing an example:] In Paris in 1614, in an accessible and public place in the Hôtel de Ville, a box was set up to receive whatever opinions or ideas were put into it. An assembly composed of the regular councillors of the Hôtel de Ville, 160 notables and a few ecclesiastical deputies, appointed a committee to gather the complaints, wishes, and remonstrances of the people, compile them, and draw up the *cahiers*.

The social and political constitution of that time had such deep and solid foundations that it was in no danger of being unsettled by this kind of popular scrutiny of vices and abuses. There was no question of changing the principle of the laws but only of modifying their practice, nor of breaking the royal and aristocratic powers but only of keeping them within proper bounds. What was then called the Third Estate meant the inhabitants of certain towns; it did not include the lowest class or even the middle class of the countryside. (Such people were thought to be represented by their seigneurs and were not consulted even if the deputies of the Third Estate spoke for them.) Townspeople were left with a complete freedom to express grievances because they were in no position to obtain by force what they might conceive to be their rights. There was no inconvenience in giving them an unlimited use of democratic liberty because everywhere else the aristocracy reigned uncontested. The societies of the Middle Ages were indeed only aristocratic bodies, which contained, however (and this was their greatness), small fragments of democracy.

In 1789 the Third Estate to be represented in the Estates General was no longer composed only of bourgeois in the towns, as in 1614, but consisted of twenty million peasants spread over the surface of the kingdom. These peasants had never been concerned with public affairs. Political life for them was altogether a novelty, without even incidental memories of a former age. Very old liberties were simply extended to a new people, with the result that the attempt to do what had been done three hundred years before produced exactly the opposite.

On a certain day, to the sound of church bells in every rural parish of France, the inhabitants assembled in the public place at the door of the church. There, for the first time since the beginning of the monarchy in France, they went to work to compile what was still called, as in the Middle Ages, the *cahier des doléances*, or list of grievances of the Third Estate.

In countries where political assemblies are elected by a universal suffrage a general election stirs a people to its foundations, unless the right to vote is a fraud.⁷⁵ In 1789 there was not only a universal

⁷⁵ [Tocqueville refers to the France of the Second Empire of the 1850s, the only country in Europe then having a universal male suffrage.]

suffrage but a general deliberation and universal survey. Each citizen of one of the most populous countries in the world was not only asked what he thought of some particular matter but also encouraged to say whatever he pleased against all the social and political institutions of the country. I think that the earth had never yet seen such a spectacle.

All the peasants of France, at the same time, thus went about recalling and recapitulating all that they had had to suffer on which they had a just right to complain. The revolutionary spirit agitating the town bourgeoisie rushed by a thousand channels through the agricultural population, which, restless and open to outside influences, was thoroughly penetrated by it. But this spirit was not the same as in the towns. It took a particular form more suited to those who felt it. What was general and abstract theory for the town middle classes became here more definite and specific. In the towns, the great question was rights; in the country, it was needs.

When the peasants came to consider their grounds for complaint, they paid no attention to a balance of powers, guarantees of political liberty, or general rights of man and the citizen. Their minds turned first to particular and familiar burdens that each of them had to bear. One man thought of the feudal payment that had taken half his grain crop for the year, another of the *corvée* that had obliged him a short time ago to give his time without pay. One remembered how the lord's pigeons had devoured his seed before it could germinate, another of the rabbits that had eaten his grain before it could ripen. As they became excited in detailing these troubles to one another, it seemed to them that all these evils came not from institutions but from one man who still called them his subjects although he had long since ceased to govern them, who now had only privileges without obligations, and who had no political rights except to live at their expense. They came to agree in seeing him as their common enemy.⁷⁶

Providence, as if to make our passions and misfortunes a lesson to the world at this very moment when our Revolution was begin-

⁷⁶ [Tocqueville here restates one of the main ideas in his *Old Regime and the Revolution* (Book II, chapter I), that each peasant's manifold grievances converged against his local seigneur or feudal lord.]

ning, inflicted upon us a great dearth and an extraordinary winter. The harvest of 1788 was inadequate, and the weather was of unheard-of severity during the first months of 1789. Cold such as is known in the extreme north of Europe froze the ground to a great depth. For two months all France disappeared under a thick blanket of snow as in the steppes of Siberia. The air was frigid, the sky empty, dull, and sad. This accident of nature made human feelings harsh and violent. Grievances against the laws and those who enforced them were embittered by sufferings due to scarcity and cold. Jealousies and hatreds were sharpened by the general misery.

And when the peasant left his barely lighted hearth, his cold home, and his starving family to go and talk with some of his fellows about what they should say of their condition, it was not difficult to find an explanation; he thought that it would be easy, if only he dared, to point his finger at the author of these troubles.

[NOTES RELATING TO CHAPTER VI]

{I}

[A note on the jacket containing the manuscript of this chapter:]

This short chapter contains important things that it would be too bad to lose. It prepares the reader for the peasant insurrections and château burnings after July 12. But it may interrupt the flow of thought because it takes the reader into a different theater. He has been living with the enlightened classes; now he finds himself with those that were not, and the following chapter brings him back to the earlier ones.

[A marginal note added later to the note above:]

By substituting the idea of a *revolution* for *revolutionary passion* and postponing the fall of the Bastille, the famine, and the economic crisis until later, I think this chapter may fit.

[And a bit further down:]

I have been unable to make the best use of the winter of 1789, and yet this accident of nature was a big political event.

[II]

[Tocqueville made the following note while examining some official correspondence of 1788–1789. It shows his sense of the importance of rising food prices on the eve of the Revolution.]

In this correspondence we see that as the winter of 1788–1789 advanced, the agitation over food supplies set the common people all over France into motion: disturbances in the marketplaces, crowds forming everywhere, troops of armed beggars roaming through the countryside.

These same symptoms had existed a hundred times before without leading to revolt. They have been forerunners of revolution almost always ever since.

[III]

[In the following notes, taken from pamphlets of 1789, Tocqueville saw evidence of widespread ideas in favor of redistribution of land.]

PEASANT SOCIALISM BEFORE THE MEETING OF THE ESTATES GENERAL [quoting the pamphlet:] “In some provinces the country people are persuaded that they will pay no more taxes and will divide the land of the seigneurs among themselves. They are already having meetings to learn the extent of these lands and equalize the distribution. They look forward to the Estates General only as a means to formalize these innovations.”

What a curious piece! How well it shows what is to follow! How the peasant was already exactly the man we see today!

GENERAL THEORY THAT FRANCE HAS TOO MANY LARGE LAND-OWNERS, AND THAT FOR THE PUBLIC WEALTH AND COMFORT THERE CANNOT BE TOO MUCH SUBDIVISION OF THE SOIL. Although the author has a horror of democratic violence, we see in his own mind the roots that nourish it and how false economic doctrines support ignorant greed.

The author, like almost all his contemporaries, sees two propositions as evident truths:

1. That there are too many great landed fortunes in France.
2. That it would be desirable for the soil to be divided indefi-

nately, either in small properties or let out in *farms*, because in this way the land could be made to produce infinitely more.

[In another pamphlet written in 1789 Tocqueville found the same economic doctrine.]

SMALL PROPERTIES DISAPPEARING; LARGE ONES GROWING; THE MORE THE LAND IS SUBDIVIDED, THE BETTER IT IS CULTIVATED.

The author, while citing no facts and in a declamatory style, complains that small properties are being absorbed into large ones that are increasing without bounds. One would think that the author was writing in England. The fact is very false for France.

Like all his contemporaries (not excepting, I think, the large landowners), he also has the idea that large properties are harmful to agriculture, a notion to be explained and justified by what was happening in France, the abandonment of rural areas by large landowners [who preferred to live in towns].

This notion in political economy went well with the rise of democratic passions and contributed to the hatred of the rich so well expressed by the author.

How Hearts were Joined and Spirits Raised as They Were at Last to Meet in a National Assembly⁷⁷

TWO QUESTIONS above all had divided the classes: the doubling of the Third, and the vote in common. The first had been decided, the second postponed. The great assembly, which each person had seen separately as an avenue of hope and which all together had sought with the same ardor, was finally about to meet. The event had been long awaited, yet was clouded by doubt. It arrived at last. There was a general feeling of passing from the preparation to the work itself, from words to acts.

At this solemn moment all paused to consider the greatness of the undertaking, being now close enough to action to perceive the magnitude of what they were about to do and to understand the effort that must be made.

Nobles, priests, bourgeois, all clearly saw that it was not a question of modifying such-and-such of our laws but of recasting them all, of introducing a new spirit, changing and rejuvenating institutions, or, as they then said, regenerating France. No one yet knew exactly what would be swept away or what created. But everyone realized that there would be immense demolition and immense new construction.

But their thoughts did not stop here. No one doubted that the destiny of the human race was involved in what they were preparing to accomplish.

Today, now that the hazards⁷⁸ of revolutions have humbled us to the point that we think ourselves unworthy of the liberty that other

⁷⁷ [Notes found with the manuscript of this chapter (see below, pp. 223–224) suggest that Tocqueville had difficulty in writing it. It does, indeed, seem hard to reconcile with the “malady” and the mounting class conflict described in the preceding chapters.]

⁷⁸ [Variant:] misfortunes.

nations enjoy, it is difficult to imagine the pride that our fathers felt. When we read what was then written, we are astonished at the lofty opinion that Frenchmen of all ranks had of their country and their race, the simple and untroubled confidence with which they took the French to stand for all human beings. Among all the reform projects that had been devised, at the time when the government seemed to put up the constitution for a prize contest, we find almost none that deigns to imitate what was done in other countries.⁷⁹ France was not to receive lessons, but to give them. (This view was favored by the nature of the political ideas in everyone's mind, and which seemed applicable to all peoples.⁸⁰) There was not a Frenchman but was convinced that the coming decisions would not only change the government of France but introduce into the world new principles of government applicable to all peoples and destined to renew the entire face of human affairs, not only for his country but for humankind.

If this sentiment was exaggerated, it was not mistaken.⁸¹ The great enterprise was in truth about to begin. Its grandeur, beauty, and risk could be seen close at hand. At the full and distinct sight of them, the French imagination was entranced. In this vast presence, thousands briefly put aside their own interests to dream only of the common work. It was only for a moment, but I doubt if there has ever been such a moment in the life of any other people.⁸²

The enlightened classes then had none of the timid and servile nature that revolutions have since given them. They had long ceased to fear the royal power and had not yet learned to tremble before the people. They were made intrepid by the greatness of their purpose. The taste for comfort that would finally overwhelm all others was still only a weak and subordinate passion. Reforms already made had upset many individual lives; they were accepted with resignation. Inevitable coming reforms could not fail to alter the condition of thousands; no one thought of that. The uncertainty of the future

⁷⁹ Perhaps develop this.

⁸⁰ [Marginal note:] Idea badly expressed but certainly to be placed here.

⁸¹ [Added in parentheses:] perhaps.

⁸² Perhaps turn about and say: class interest seemed for a moment to be in abeyance. (Bad, but the movement may be good.)

had already slowed down the movement of trade and industry;⁸³ the activity of humble people was troubled or suspended. Distress and suffering did not dampen their ardor.⁸⁴ In the grandeur of the common enterprise private miseries were lost and ignored even in the eyes of those who endured them.

Even the passions that had brought the classes so violently to blows seemed suddenly to grow milder at this hour, when for the first time in two centuries the classes were to act together; in a few *bailliages* [electoral districts] the three orders made war on one another, but in almost all there was a sudden harmony, far more than had been expected.

All had with equal ardor demanded the restoration of the great assembly now being born. Each person had seen in the meeting of this great body the means of realizing his dearest hopes. These Estates General, called for by tumultuous and unanimous voices, were at last taking form. A common joy filled hearts that had been so divided and brought them together for a moment before they separated forever.

All were impressed at this moment by the perils of disunion. They made a supreme effort to agree. Instead of considering how they differed, they strove to concentrate on a common aim:

Destroy the absolute power, restore the nation to itself, secure the rights of every citizen, obtain a free press, make individual liberty inviolable, humanize the laws, reaffirm justice, guarantee religious toleration, remove the obstacles to trade and commerce—these are the things that all demanded. They were on everyone's mind, the subject of mutual congratulations, which all talked about as matters of common interest, while they kept silent on what still divided them. Fundamentally they did not agree, but they tried to persuade themselves that they would agree, in a mood of reconciliation in which no explanations were offered.

—Here put facts that may illustrate all this.—

I think that never in history, and nowhere on earth, has there been seen so great a number of men so passionately devoted to the public good, so truly forgetful of their own interests, so absorbed in the

⁸³ Revolution had gone far enough to disturb the order of trade and industry.

⁸⁴ [Marginal note:] Make all this more precise without bothering about money terms.

contemplation of a great purpose, so determined to risk all that men hold most dear and lift themselves above petty concerns. It was the common basis of passion, courage, and dedication, from which came all the great actions of the French Revolution.

It was a brief spectacle, but with incomparable beauties. It will never pass from human memory. All foreign nations saw, applauded, and were moved by it. Try to find a place in Europe so remote as not to perceive it and respond with admiration and wonder; there is no such place. In all the many memoirs that contemporaries of the Revolution have left to us I have never found one in which these first days of 1789 have not left their indelible trace. Everywhere we find the clear, fresh, and lively emotions of youth.

I dare to say that there is only one people on earth that could have produced such a scene. I know my nation. I see its mistakes, faults, weaknesses, and miseries only too well. But I know also what it is capable of. There are enterprises that only the French nation is able to conceive, and magnanimous resolutions that it alone will dare to adopt. It alone, at a favorable moment, can wish to embrace the cause of humanity and be *willing* to fight for it. And if it can precipitately fall, it can soar to sublime heights that no other people will ever attain.

{NOTES RELATING TO CHAPTER VII}

[A note by Tocqueville on the jacket containing the manuscript of this chapter:]

This was the great floodtide of 1789 that continued for a while but has been receding down to our own day.

For this historic moment the reader must be made to realize that, *except for the harmony*, most of the feelings I am depicting did not originate at this time but had been built up since long in the past, and, especially, that they would not cease with the moment itself.

[At the head of a first sketch of this chapter Tocqueville also considered his objective as follows:]

What do I want to describe?

Is it the general outburst that produced the French Revolution

and drove on this great wave of feelings and ideas, which has been dying away down to our own time?

The conviction that their mission was to regenerate France and change the world, the enthusiasm born of this great purpose, the devotion to this great course, the scorn for private interest and individual well-being that all this suggested to millions of men[?]

Or, rather, is it not a particular moment, a peculiar accident in the great upheaval of men's minds?

This solemn moment of passage from speculation to practice, from preparation to event, from words to acts, when the French, about to launch on this vast enterprise, seeing clearly the work they are to undertake, bring themselves to a halt, calm down, come together, make a supreme effort to understand one another, to forget private interests and think only of the greatness and beauty of the common task.

A moment of moral grandeur unequaled in history.

[Marginal note:] The *apparent* and sincere coming together of classes is only the principal symptom, though still only a symptom, of that admirable *effort* of the spirit to prepare for the coming task, to be fulfilled by abnegation, sacrifice, and devotion to the great cause. Contempt for comfort, ruin, and life itself was only the final such effort of the spirit.

This whole chapter must turn on this one idea.

Alexis de Tocqueville

Excerpts from His Correspondence Concerning
the Writing of His Unfinished Book

(1856–1858)



Excerpts from Alexis de Tocqueville's Correspondence

[EXCEPT for the first, the following excerpts are all from letters written in 1856, 1857, and 1858, when Tocqueville was at work on the sequel to his *Old Regime and the Revolution*. The first letter, although written at the end of 1850, is included because it shows so clearly what his long-term project was. He had gone in 1850 to Sorrento in southern Italy to recover from the first attack of the pulmonary illness from which he died nine years later. At leisure there, and soon to retire from politics, he shared with his friend Louis de Kergolay the first germ or intimation of what was to become *The Old Regime and the Revolution*. The letter makes clear that he thought of the Revolution as a contemporary disturbance lasting into his own time, and that his first idea was to study the empire of Napoleon I as a particularly significant phase in this great disturbance. It shows also his awareness of the difficulties in writing the kind of history that he had in mind, and which continued to trouble him in his final efforts on the book he was unable to finish.

Much of what he says here to Kergolay in 1850 is repeated in the note he wrote to himself in 1856 (p. 150 above) to put himself back on the track for writing the sequel to his *Old Regime*.]

To Louis de Kergolay

Sorrento, December 15, 1850

. . . I think myself now in a better position than I was when I wrote *Democracy [in America]* to treat a great subject of political literature. But what should the subject be? More than half the chance of success depends on the choice of subject, not only because one must be found that is of interest to the public, but also because I must have one that excites me and brings out what I have to give. . . . All these reflections and agitations of mind, in the solitude in which I am now living, make me search more deeply and seriously for the master idea of a book, and I want to tell you what I am imagining and ask your opinion. Basically it is only the affairs of our time that interest the public or interest me. . . . But what subject to choose? What would be most original and most suited to my nature and habits of mind would be a collection of reflections and insights on the present time, a freely ranging judgment on our

modern societies and forecast of their probable future. . . . I must find somewhere a solid and continuous basis for my ideas, which I can find only by writing history, attaching myself to a period that gives me the occasion to deal with the men and affairs of our day and bring all these detached portrayals into a picture. It is only the long drama of the French Revolution that provides such a period. As I think I have told you, I have long had the thought of choosing, within the great length of time from 1789 to our days, which I continue to call the French Revolution, the ten years of the Empire, the birth, development, decline, and fall of that prodigious enterprise. The more I think of it, the more I believe this period to be well chosen. . . . [He will not write a work such as Adolphe Thiers's *History of the Consulate and Empire*.] Such a work would take many years; moreover, the principal merit of a historian is to know how to weave together the facts, and I do not know whether I have that art. What I have been most successful with until now is to judge the facts rather than narrate them in a history properly speaking. . . .

To this way of envisaging my subject I would add another. It would not be a long book but a fairly short one, perhaps one volume. I would not write a history of the Empire, strictly speaking, but a combination of reflections and judgments on its history. I would no doubt indicate the facts and follow their thread, but my main objective would not be to narrate them; I would try to make the reader understand the principal facts and see the diverse causes that produced them and the consequences that flowed from them; how the Empire came into being; how it could establish itself in the society created by the Revolution; by what means it was built; what the *true* nature was of the man who founded it; what made his successes, and what his reverses; the transitory influence and the lasting influence that he exerted on the destinies of the world and on those of France. It seems to me that there is matter here for a very great book. But the difficulties are immense. The one that troubles me most comes from the mixing of history, properly speaking, with philosophical history. . . . The inimitable model of this genre is Montesquieu's book on the greatness and decline of the Romans. . . .¹

¹ OC XIII, 2, *Correspondance avec Louis de Kergolay*, pp. 229–234.

[The following excerpts reveal Tocqueville's perplexity as he worked on his unfinished book—his inability to conceptualize the Revolution to his satisfaction and his tragic struggle to carry on through alternating episodes of physical strength and weakness, anxiety and hope, as his lung disease grew worse.

In January 1856 he wrote to his friend Henry Reeve in London, who had translated his *Democracy in America* twenty years before, announcing the completion of his book soon to be published in France, *L'Ancien régime et la Révolution*. He asked Reeve to arrange for an English translation, to be made from the French proof sheets and so published almost simultaneously with the original. Reeve replied that he was now too busy to do it himself but that he would find a competent translator, closely supervise his work, and correct or improve it where necessary. Tocqueville thereupon explained that the book now ready for publication was only the first of what might become two or three volumes.]

To Henry Reeve

19 place de la Madeleine, February 6, 1856

. . . I am more concerned with my reputation than with my pocketbook. Do not sacrifice anything just to get a translation at a bargain, and above all don't disappoint the hope you have given me that you will go over the translator's work before releasing it to the public. This is important to me.

There is one fact of which I should inform you. There is a proposal to translate me in America. Does this circumstance affect what I want to do in England?²

As for the work itself, I can best answer your very natural question by sending you the titles of the chapters that make it up. The subject of the book is the *Revolution* (and this will perhaps be its title) as seen in its causes, its movement, and its effects, not only in France but in the whole world. The work will have two, perhaps *three volumes*. But as I have told you, the one I am about to publish forms a whole that could stand by itself if the rest should never appear. . . .

. . . In this book there are a certain number of general and ab-

² John Bonner's translation was published in New York in 1856, shortly after Reeve's in England.

stract ideas that grow out of the huge mass of details, many of which, I think, are new.

The following volume will show how the Revolution with its specific features came out of what is said in the volume I am about to publish. Unless I am mistaken, it will review the general movement both in France and beyond it; and when the Revolution has achieved its work, it will show what in truth this work was, what it had swept away and what it had preserved of the old regime against which it was directed.³

[Meanwhile, it was decided in Paris that Tocqueville's book should be entitled *L'Ancien régime et la Révolution*, considering that the existing manuscript dealt only with conditions before the Revolution and that one or more further volumes were to be expected. Reeve wrote that the London bookseller-publisher John Murray had agreed to publish the translation but was uncertain about the title.]

Reeve to Tocqueville

16 Chester Square, April 18, 1856

. . . Murray (the bookseller) thinks that the expression *Ancien régime* positively cannot be used in the title of a translated work. I propose therefore "On the State of Society before the Revolution of 1789," which is the equivalent of *Ancien régime*.⁴

[At Tocqueville's suggestion, Reeve added to his proposed title "and on the causes which led to that event." Reeve's title continued to designate the English translation of Tocqueville's book for many years. John Bonner's American translation of 1856 was already called *The Old Regime and the French Revolution*, by which it has been generally known. The book was published by Michel Lévy in Paris in June 1856. By the time of Tocqueville's death in 1859 a fourth printing had appeared in France, with nine thousand copies then in print, a figure thought very high for a book of this kind. In 1873 a second edition of the Reeve translation was published in England (followed by a third in 1888); it included Gustave de Beaumont's re-

³ OC VI, 1, *Correspondance anglaise*, pp. 160-161.

⁴ *Ibid.*, pp. 167-168.

construction after Tocqueville's death of the seven unfinished chapters, of which André Jardin's quite different arrangement is translated in the present volume.

The immediate success of the *Old Regime* encouraged Tocqueville to go to work without delay on its sequel. He was blocked, however, by a problem that he never solved to his own satisfaction: how to avoid a mere recounting of "facts" while portraying the changing "ideas and feelings" of the Revolution. The analytical powers that had served him so well in *Democracy in America* and *The Old Regime and the Revolution* seemed less suited to the understanding of rapid change over a short period of time. He was more interested in continuity than in innovation, more in long-run trends than in the passage from one crisis to another.}]

To J. J. Ampère

Tocqueville, August 3, 1856

. . . What you tell me of the sale of my book is such good news and so surprising that I cannot help but believe that you have made an error in saying 1,800 copies have been sold. . . . I would not be telling the truth if I didn't say that this whole affair has been a great joy to me and still more to my wife. The fact is, that if the book had fallen flat, with my tendency to *despondency*, it would have had a great effect on all the rest of my life. I had made an immense effort, and if it had been in vain, it would have been hard for me to begin again.

Now, on the contrary, I am eager to get back to work, though I see from a distance that the task presents infinitely more difficulties of all kinds than the one I have just completed. In any case, I have many ideas for this part of my work, which, as you know, was the part that I first had in mind. . . .⁵

To J. J. Ampère

Tocqueville, August 26, 1856

. . . I am having a lot of trouble in getting a hold on my great subject. I don't know which end to take it up by, and I want very much for us to talk about it together, in the hope that, as so often in the

⁵ OC XI, *Correspondance avec P. P. Royer-Collard et avec J. J. Ampère*, p. 334.

past, the horizon will clear in talking with you, and I can at last see the way that will lead me to my goal. . . .⁶

To Pierre Freslon

September 20, 1856

. . . The difficulty in my present enterprise is greater than any I have had before. If I stand off too far from the details of fact while tracing the movements of ideas and feelings during the revolutionary period (which is, strictly speaking, my subject), I become vague and elusive. If I come too close to the details, I fall into an immense ocean that is already well traversed from all directions and is well known. The mere sight of it makes me dizzy. . . . I have not yet reached even the half-light that would let me see enough of the country for me to ask the inhabitants the way. . . .⁷

To George Cornewall Lewis

October 6, 1856

. . . Since my object is more to trace the movement of ideas and feelings that produced the events of the Revolution than to narrate these events themselves, it is not so much historical documents that I need as it is writings in which public opinion expressed itself at each period—journals, pamphlets, private letters, administrative correspondence.⁸

[As is evident in the preceding letters, Tocqueville's intention was not to produce another narrative of the Revolution but to write something more in the nature of reflections on its meaning, such as Montesquieu had written on the Romans. Pursuing also his idea of a general European revolution of which the French was the most acute and momentous phase, he read a number of books on Germany and became curious about strange sects and secret societies as omens of imminent change.]

⁶ Ibid., pp. 341–342.

⁷ André Jardin, *Alexis de Tocqueville, 1805–1859*, Paris, 1984, p. 486. This excerpt is from the biography by Jardin, the correspondence with Freslon being not yet published.

⁸ Ibid., pp. 486–487.

To J. J. Ampère

Sunday, January 11, 1857

Here I am again, dear friend, and still to ask a favor. I think it useful in my work (which I am beginning to take up again in your absence, since the charm of our intimacy when you were here consoled me in my sterility), I think it useful, to repeat, to form an idea of what that sort of feverish dreaming before the Revolution was like—what is called Illuminism, Rosicrucians, Freemasonry . . . which revealed the human mind turning upon itself before aiming at a definite point. . . . Don't bother to send me anything. Simply have with you or at your house the books I am to get. I will send for them. . . .⁹

J. J. Ampère
to Alexis de Tocqueville

Marseille, Wednesday the 21st,
at 7 o'clock in the morning [1857]

Dear friend, you will find in Grégoire a summary of all the "illuminated" sects that will give you indications on what you are working on at the moment. . . .¹⁰

[On the very day after writing to Ampère, Tocqueville wrote to another friend, Adolphe de Circourt, putting to him the same question. As early as 1852, he and Circourt had corresponded on the well-known book of Abbé Barruel, who had claimed that the Revolution was caused by a conspiracy of Illuminati and Freemasons. "Nothing seems to me more erroneous," Tocqueville had said in 1852, and he went on to explain to Circourt that he saw in these societies only "symptoms of the malady, not the malady itself, effects and not causes."¹¹ It is hard to understand why Tocqueville took such a persistent interest in this esoteric subject in 1857.]

⁹ OC XI, pp. 361–362.

¹⁰ Ibid., p. 362. The reference is to Abbé Henri Grégoire's book of 1810, republished in six volumes in 1828 and 1845, entitled (if it had been translated) "A history of religious sects which, since the beginning of the last century, have arisen, been modified, or become extinct in the four quarters of the globe."

¹¹ OC XVIII, *Correspondance avec Adolphe de Circourt et avec Madame de Circourt*, pp. 69–76. On Barruel and his conspiratorial theory, see R. R. Palmer, *The Age of the Democratic Revolution*, Princeton, 1964, vol. II, pp. 251–255.

To A. de Circourt

Tocqueville, January 12, 1857

. . . Here is my question now: I am curious to know what that sort of feverish agitation of the human mind consisted in that immediately preceded the French Revolution in all Europe and which manifested itself as Illuminism, the Rosicrucians, Freemasonry, Mesmerism. . . . I know from various works, among others the bad book by Mirabeau on the Prussian monarchy, that in Germany in 1788, the date of the book, all these doctrines had a great many adepts, and vaguely and deeply agitated men's minds. If there were a book or several books giving an exact idea of this singular state of mind, especially in Germany and northern Europe, and that could show what it consisted in, I would try to procure such works. I cannot give the subject much time or prolonged study. But I would hope to see it in general outline and correct perspective, and take account of its character and extent. I should be very glad if you can help me in that. . . .¹²

A. de Circourt
to Alexis de Tocqueville

La Celle, January 15, 1857

. . . On that important prologue to the drama of the Revolution that you write about at the beginning of your letter, the only special work that I know of is the *Mémoires sur le jacobinisme* of the Abbé Barruel. But there is a whole literature in German on the subject. The Illuminati controlled Sweden, ruined Prussia, and caused disturbances in Hesse and Bavaria. The Swedenborgians had laid the way for them in Scandinavia. In Germany and France, the Martinists chastened the bizarre tendencies of the Illuminati by trying to have angels do what others attributed to demons. Barruel, in his undigested and inflated compilation, cites a good many German writers in his notes. To enlighten myself I am going to write to the best authority I know in this field; it is [Leopold von] Ranke. I hope that he will reply without too much delay.¹³

¹² OC XVIII, p. 362.¹³ Ibid., pp. 366–367.

A. de Circourt
to Alexis de Tocqueville

Paris, February 12, 1857

Ranke has answered me on the subject of the ramifications of the opinions and revolutionary intrigues of our country in Germany toward the end of the last century. I enclose a transcript of his letter. Ranke also tells me that he has sent to a common friend a few books on this matter that he wishes to be sent on to you. . . .

From M. Leopold von Ranke

Berlin, February 10, 1857

We have nothing in German of what would be called *standard works* in England on the subject of the Illuminati and other ramifications that the French philosophic and revolutionary sects had in Germany in the last years of the past century. The Illuminati sympathized with the French Revolution and, more surprisingly, with the advent of Napoleon. But none of all that struck any deep roots in German soil. It was an ephemeral effort to combine the spirit peculiar to the eighteenth century with the hierarchic and hieratic forms of the sixteenth. . . .¹⁴

To A. de Circourt

February 22, 1857

I should like, dear Monsieur de Circourt, to join a few words to the letter I have just written to Madame de Circourt to thank you for your communication on the *Illuminati of Germany*. You tell me that Ranke is sending a few books. If they come to you, please keep them until my return, which will be in about three weeks. Does M. Ranke know that it was for me that you asked him the questions he answers? That is not evident from the fragment of his letter that you sent me. If so, and if it were for me that the books he mentions were to be sent, I should feel obliged to write to him, though I have not the honor of knowing him personally. It would be a pleasure to enter into direct correspondence with so eminent a man. In that case, please give me his address. I see, however, that he has completely mistaken the meaning of the questions I put to him. I have never thought that the sects of Illuminati had any appreciable influence on the coming of the French Revolution. I consider them only as one

¹⁴ Ibid., pp. 375–377.

of the numerous symptoms characterizing the state of mind at the time, or the state of mind out of which the Revolution came. . . . I may say confidentially that I understand nothing of an ephemeral effort to *conciliate the spirit peculiar to the eighteenth century with the hierarchic and hieratic forms of the sixteenth*. This must mean that they wanted to animate the body of the old European society with the new spirit. The most distinguished Germans always take pains to cover the clearest ideas with a bit of high-flying nonsense. . . .¹⁵

To A. de Circourt

Tocqueville, March 11, 1857

I take the liberty, dear Monsieur de Circourt, to enclose with this letter one that I have written to M. Ranke, which I would ask you to send on to him after filling in the address. I thought it well to thank M. Ranke directly for the trouble he took in replying to the question you put to him for the purposes of my work. I have now learned on this point what I needed to know, and would not wish to inconvenience M. de Savigny unnecessarily. You know, of course, that my desire to understand the movement of various Masonic and Illuminist sects in Germany did not come from any idea on my part that one of the causes of the French Revolution was to be found in the birth and development of these sects. I was looking in them only for a curious sign of the general spirit of the time. Though interesting, this is not of primary importance and requires no very long or very detailed studies. . . .¹⁶

[Tocqueville goes on to tell Circourt that he had been reading, besides Mirabeau on the Prussian monarchy, some writings by Ernst Brandes and Johann Georg Forster. The results became apparent later in the first chapter of his unfinished book. See pp. 153–158 above.

Meanwhile, Tocqueville had written in February to his old friend Gustave de Beaumont, who had been his companion in America in 1831–1832, telling him about the progress of his new book. He was working intensively, making notes and digests of his sources. Fortunately for Tocqueville, the Bibliothèque Nationale (called Impériale during these years of the Second Empire) had published in

¹⁵ Ibid., pp. 379–380.

¹⁶ Ibid., pp. 385–386.

1855 the volume of its printed catalogue which related to the French Revolution. Such was Tocqueville's political and literary standing that the famous national library was willing to break its usual rule and send books to him at his home in Normandy.]

To Gustave de Beaumont

Tocqueville, February 1, 1857

. . . I am back at work fairly seriously now that we are entirely alone. I am beginning to go forward with some pleasure, but I see a whole world opening before me. The sight of it alarms me. I have not progressed far enough to be sure that I can continue on my course. I am sustained more by the pleasure of the work than by any proud illusion of the importance of such labors. There are times when books are political acts. It has been so in France for a hundred and fifty years with few exceptions. But today books are pure amusements of the mind. You can see this in the praise freely given to a book that goes against your own ideas. It can do so little damage that you like to read it even when disapproving of it.

I have found, especially at the Bibliothèque Impériale, a great deal of good will that is most useful for the work I can do here in the country. They have sent me a copy of the printed catalogue in which works relating to the Revolution are listed. I mark in this book all those that I need, and they send them to me. Many are pamphlets or detached pieces. They have sent me as many as a hundred and fifty at a time. That's what I call being helpful. . . .¹⁷

[In June 1857 Tocqueville went to England and remained there about a month. His purpose was to consult materials in the British Museum, but he was such a distinguished visitor and had so many friends and admirers in England that much of his time was consumed in social obligations. For reasons that he explains, the trip was not very rewarding so far as his researches were concerned.]

To Gustave de Beaumont

Tocqueville, July 25, 1857

. . . The most serious purpose of the trip was to see what is in the British Museum on the Revolution, but this was fulfilled very incompletely because the special library on the Revolution is not cat-

¹⁷ OC VIII, 3, *Correspondance avec Gustave de Beaumont*, p. 456.

alogued.¹⁸ I estimate at no less than 12,000 the number of pamphlets written in France on or during the Revolution that are now brought together in a room at the British Museum. I think it is the greatest collection in existence. But its very extent makes it useless until some easy means of consulting it is provided. I spent hours there, but they were badly employed and I hardly collected anything but dust. I had a more interesting time at the State Paper Office, which, as you know, houses the political archives of the country. All the diplomatic materials are to be found there either in the original or in copies, in big, carefully bound volumes. The rule is not to let anything later than '89 be seen. But Lord Clarendon kindly made an exception in my favor, so that all the diplomatic correspondence from 1787 to 1793, until the rupture of diplomatic relations, was made available to me. I found nothing of great value, except for almost certain proof that the English, at the beginning of our troubles, did not play the Machiavellian role attributed to them. Of course they were not sorry to see our embarrassments, but nothing shows that they tried to increase them, as so many people have said. Incidentally, it is amusing to see how the English, despite their own experiences in revolutions, had no idea how ours would come out. . . .¹⁹

[After his return from England, he and Mme de Tocqueville entertained house guests for much of the rest of the summer, during which his work was delayed. He felt the need to begin to write, but he lacked the drive of his younger days.]

To Gustave de Beaumont

Tocqueville, September 25, 1857

. . . I figure that I shall not be left to myself until October 15. I hope then to have several months of peace for effective work. As you guessed in your last letter, I have done little since my return. I have only brought my preparatory work to the point where I *must* begin composition of the first part of my new book. I count on this labor of composition to restore the impulse that has been lacking for almost a year. For some time I have felt such impatience at my ste-

¹⁸ What Tocqueville saw was the Croker Collection on the French Revolution, for which a guide was published by G. K. Fortescue of the British Museum in 1899.

¹⁹ OC VIII, 3, p. 490.

rility, such a sometimes painful uneasiness, that I hope at last to regain some of my old zest once I am caught up in the effort of writing. But on the other hand, I am alarmed to see how I am more amused or interested than I used to be by little things, insignificant and yet pleasant, that occupy and fill up my life and make it both agreeable and sterile. That is so different from the old man that you have known that I sometimes fear I have lost, along with the faults that often made me insufferable to others and to myself, the very qualities that from time to time made me act with vigor and produce.²⁰

[Engaged in the actual writing from October into December, he was still uncertain what his book on the Revolution should contain.]

To J. J. Ampère

Tocqueville, November 21, 1857

I think I am back on the right path for my work. But where will this path lead me? That is what I still don't know. But it's something accomplished to have set foot again on my new subject.²¹

[In the following letter Tocqueville explains that, owing to the "panic of 1857" in the United States, he is concerned about his considerable investment in bonds of the Central Michigan Railway and the Galena-Chicago. He was less worried about the capital than about whether the interest would be paid.]

To Gustave de Beaumont

Tocqueville, December 6, 1857

. . . All this crisis in America has put me in an unfavorable mood for work. . . . I think that the extreme difficulty I feel comes not only from my own troubled state of mind but from the obstacles presented by the subject. To treat it in a new way would be an almost chimerical attempt, but simply to repeat commonplaces that we have heard since we were born is impossible for me. I would die of boredom myself before boring my reader. In this connection,

²⁰ Ibid., p. 502.

²¹ OC XI, p. 396.

moreover, it is necessary to weave together the ideas and the facts, to say enough of the latter to make the former understandable, to get the reader to sense the interest and importance of the ideas and yet not write a history properly speaking. I sometimes ask myself whether what I am trying to do can be realized. I often doubt it, and yet I see, it seems to me, the object that I want to depict. But the light that illuminates it is vacillating and doesn't yet allow me to seize the image well enough to be able to reproduce it. . . .

. . . To think of the French Revolution requires an effort; to plunge into all the little arrangements for building a stable or a sheepfold, I would only have to let myself go. Nevertheless, from my knowledge of myself, the incurable uneasiness of my mind, the restlessness of my character, I am led to think that I could never reduce my life absolutely to the care of my fields, or at least I could never in that way be contented. . . .²²

[In his depressed moments Tocqueville wondered whether his work was worth doing.]

To Gustave de Beaumont

Tocqueville, January 2, 1858

. . . I have no child that might someday enjoy the little fame that my name may have; I do not believe that the slightest influence is to be gained by writings like mine, in such times as ours, or by any writings except perhaps bad novels that may have the undesirable effect of making us more demoralized and disordered than we are. And yet I get up at five o'clock in the morning, I spend six hours facing a sheet of paper that often remains blank, I lose hope of finding what I am looking for, I then find it halfway and with difficulty, I leave my desk often defeated by my task, dissatisfied with myself and hence with everything else. . . .²³

[Having drafted his seven chapters on developments up to May 5, 1789, and set them aside for future revision, Tocqueville at last confronted again the problem of the Revolution itself. He was at first more cheerful and optimistic.]

²² OC VIII, 3, pp. 521-523.

²³ Ibid., p. 529.

To J. J. Ampère

Tocqueville, February 18, 1858

. . . I have finished all the work I can do at Tocqueville. It is not much, and I would be ashamed and discouraged to see myself so little advanced, except for my conviction that I shall soon go more rapidly forward. I have come out of the shadowy region in which I have groped for so long. I now see my road; I now perceive the objective I want to reach, and I am ready to go. As soon as I get to Paris, I shall throw myself into the libraries and archives, and I hope to gather enough materials to push the writing pretty far on my return. . . .²⁴

{Unfortunately, Tocqueville told neither Ampère nor anyone else what this “road” was. In the following letter to Louis de Kergolay he shows himself again uncertain of his own procedure, still seeing a malady or virus in the Revolution, and still making no distinction between the transitory but widespread radicalism of 1793–1794, at the height of real revolution and war, and the minority of professional and lifelong revolutionaries of his own time, who planned and worked for revolution before it happened. Kergolay, the most aristocratic of his friends, offers an explanation of the “virus,” which he located in the faults of the aristocracy.}

To Louis de Kergolay

Tocqueville, May 16, 1858

. . . Among the things that I would have liked to talk about with you, my work would have had first place. I am beginning to be a little concerned about it. I am certain that it should not be a long book, but given my way of studying the facts and writing the final draft, I am afraid it will never end. Unfortunately, I don't know what rule to adopt to limit my researches. Between reading everything and saying nothing, I see no middle way. The *literature* of the Revolution, as the Germans call it, is so enormous that a lifetime might pass in trying to know its contents even superficially. You know that what I am looking for in these readings is less the facts than signs of the movement of ideas and feelings. That is what I want to depict: the successive changes in the social state, the insti-

²⁴ OC XI, pp. 401–402.

tutions, the mindset and general outlook and behavior of the French as the Revolution proceeds. That is my subject. To see it clearly, I have so far found only one method and that is to live, as it were, each moment of the Revolution with its contemporaries, reading not what is said about them or what they said about themselves later, but what they themselves said at the time and, so far as possible, what they really thought. The lesser writings of the time, the private correspondence . . . [dots in original] have more usefulness for this purpose than the debates in assemblies. I am reaching in this way the goal that I set for myself, which is to place myself in the midst of that time. But the process is so slow that I often despair of it. Is there another way?

There is moreover in this malady of the French Revolution something peculiar that I sense without being able to describe it well or analyze its causes. It is a *virus* of a new and unknown kind. There have been violent revolutions in the world, but the character of these Revolutionaries is so immoderate, violent, radical, desperate, audacious, almost insane yet powerful and effective as to have no precedents, it seems to me, in the great social agitations of ages past. Where does this new race come from? Who produced it? Who made it so effective? Who perpetuates it? For we are still facing men like this, although circumstances are different, and they have left their descendants throughout the civilized world. My mind wears itself out in trying to conceive a clear notion of this object and looking for ways to describe it. Beyond everything that can be explained in the French Revolution there remains something unexplained in its spirit and its acts. I sense where this unknown object is, but try as I may, I cannot lift the veil that covers it. I grope as if across a foreign body that prevents me from quite touching it or seeing it.²⁵

Louis de Kergolay
to Alexis de Tocqueville

Paris, May 21, 1858

. . . I hasten, as is the old habit of our correspondence, to take up the ideas that you throw out for discussion in your letter. The important point in this letter is this question: Why is what you call the

²⁵ OC XIII, 2, pp. 337–338.

virus of the French Revolution being constantly reborn? Why does this contagion, unlike other physical and moral contagions, have no end? On this question I have a fairly clear idea, and hence I feel no hesitation in presenting it to you. I don't claim that my explanation is complete or adequate to explain everything, but I do think that among many causes it is the dominant one. If, among all the resentments that went into the revolutionary spirit, you try to find the one that is still very much alive, you will see that it is animosity against anything that, rightly or wrongly, can be denounced as aristocratic. All the other revolutionary passions are almost dead. How has that happened? The anti-religious and anti-monarchical passions have not been appeased by the suppression of religion and monarchy, but on the contrary by the fact that religious and monarchical authority has come into the hands of men who were by no means unpopular and who have demonstrated to the crowd something that is popular in all countries of the world—I mean, ability and practical knowledge. . . .

Now, as for the aristocratic fragments still scattered through France and Europe, have they ever for a single day, or on a single issue, risen to the level of the aristocratic calling? Taking them as a whole and disregarding exceptions, they have made the stupid blunder, from one end of Europe to the other, of hiding between the legs of autocracy and so losing all influence and reputation. . . .

There you have, I think, the main cause of this ever-recurring fury. It is like the grotesque fury of 1830 against that poor Charles X, whose only fault was in not being equal to his task. Let there reappear in France or elsewhere in Europe a certain kind of men of a certain worth and importance, to exercise a reasonable, prominent, and advantageous influence in the affairs of nations, then the anti-aristocratic resentment will definitely disappear. It will cease when the aristocratic element, whatever new form it takes, shall have washed its flag. . . .²⁶

[Kergolay concludes his letter by urging Tocqueville to go on with his reading of materials contemporary with the Revolution itself.

²⁶ Ibid., pp. 339–340.

During 1858 Tocqueville's physical condition became increasingly difficult and painful. There were periods of intermission, but on the whole he could do very little. In October he and Mme de Tocqueville, who was also ill, settled in Cannes in the hope of relieving their troubles.]

To Gustave de Beaumont

Tocqueville, July 4, 1858

. . . I still find it difficult to work, and any continued concentration makes me ill. I am alarmed at how easily I get used to doing nothing. In my idleness I feel a kind of deep and secret discomfort, but nothing like that almost unbearable moral pain that I felt, not long ago, when for a while I was unable to do anything effective of any kind. I think that if I went on ailing as I am now I could reach a point of doing nothing at all, or what I call nothing; and this condition, while not making me content, would not make me very unhappy. I shall not feel again that enthusiasm which even in sickness and misfortune pushed me on with a desperate ardor to my work. . . .²⁷

To J. J. Ampère

Cannes, December 30, 1858

. . . I am regaining my strength. I can find something to do outdoors, or in the house. But I cannot do any serious work. . . .²⁸

[He died at Cannes on April 16, 1859.]

²⁷ OC VIII, 3, p. 583.

²⁸ OC XI, p. 418.

Glossary

à bas les aristocrates! Down with the aristocrats!

bailliages In the present context, the principal electoral districts set up for the election of deputies to the Estates General in 1789; they followed the boundaries of existing *bailliages*, which were secondary courts in the judicial system.

cahiers The *cahiers des doléances*, or “grievance lists,” were statements drawn up in electoral districts by assemblies electing deputies to the Estates General in 1789. In each principal district (*bailliage*) the clergy, nobility, and Third Estate each compiled its *cahier*, which in effect constituted its instructions to its deputies.

capitation A head tax, or tax on individuals, in principle varying according to the taxpayer’s presumed level of income, but modified as time passed by various abatements and exemptions.

cens A payment, usually in money and hence of slight value in the eighteenth century (because of the decline in money values since the Middle Ages), payable by a tenant or owner of land to a *seigneur* or feudal superior; more significant as a sign of social status than as a financial burden.

chambre des comptes A government office, in dignity just below the Parlement, with a great many functions but chiefly the verification of the king’s revenues from the royal domain, taxes, and other sources. There were lesser *chambres des comptes* throughout the country.

chambre des enquêtes A subdivision of the Parlement of Paris, subordinate to the *grand’ chambre*, hearing appeals from lower courts in certain civil and criminal cases, and usually composed of younger members of the Parlement.

compte-rendu A report or accounting, specifically in the present context the report of Necker to Louis XVI in 1781 on the state of the government finances. The unusual fact of its publication caused much public discussion and dispute.

corvée Unpaid labor; specifically, the days of work required by the royal government of the rural population living within a few miles of the principal roads. Virtually everyone was exempt except peasants.

cours des aides Law courts having jurisdiction in matters of taxation. The one of Paris, with jurisdiction over a large part of France, stood just below the Parlement of Paris in ceremonial rank.

curé A priest in charge of a parish and its parishioners, often on a small salary with the income of the parish going to others.

During 1858 Tocqueville's physical condition became increasingly difficult and painful. There were periods of intermission, but on the whole he could do very little. In October he and Mme de Tocqueville, who was also ill, settled in Cannes in the hope of relieving their troubles.]

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GLOSSARY

ducs et pairs The “dukes-and-peers” were the highest order of the French nobility, numbering forty-three in 1789, by which time they had mainly ceremonial functions, but on rare special occasions they could sit in the Parlement of Paris.

franc fief A payment to the royal government by a non-noble purchasing noble land, generally complained of in the eighteenth century by both nobles and non-nobles as interfering with the real estate market.

gabelle The salt tax and government monopoly on the sale of salt, requiring the purchase of a certain amount.

Garde française A regiment permanently stationed in Paris, composed of men who, though professional soldiers, were in many cases married and in close daily touch with the ordinary people of the city.

généralité One of the thirty-four areas into which France was divided, each under an intendant who exercised virtually all powers of the royal government except military.

grand' chambre The highest of the chambers into which the Parlement of Paris was divided, acting as a court of first instance for certain privileged cases and exercising leadership in all actions of the Parlement.

grands bailliages Law courts just below the parlements as proposed (but never implemented) in the government's reform plan of May 1788.

Hôtel de Ville The town hall.

lettres de cachet “Sealed” letters (*cachet*, the royal seal) ordering the arrest and confinement of a person without further procedure or publicity.

lit de justice A solemn occasion on which the king, as the ultimate source of all judicial authority, appeared in the Parlement and formally commanded it to obey his will.

mainmorte A payment to the royal government by colleges, guilds, religious houses, and other “undying” corporations on the acquisition of real property, in compensation for the loss of future taxes to the government.

maréchal de camp A military rank, the lowest grade of general officer.

parlement The Parlement of Paris and twelve provincial parlements, each within its area of jurisdiction, were primarily the highest courts of the realm, rendering justice in particular cases; but they had administrative functions also and claimed the right to “verify” royal edicts to ascertain their conformity to existing law, hence to “remonstrate” against proposed edicts that they found contrary to this law. Their remonstrances could be overruled in a *lit de justice*. The Parlement of Paris had jurisdiction in about half the country.

pays d'états Those provinces (and *généralités*) in which meetings of the three estates (*états*)—clergy, nobility, and Third—continued to take place in the eighteenth century. Brittany and Languedoc were the most important *pays d'états*. In most of France they had fallen into disuse.

rentes Income regularly received from land, annuities, or other proprietary rights. *Rentes* included “rent” in the modern sense of rental under terminable leases; perpetual income from feudal or seigneurial rights; and income from

loans made to the royal government, the clergy, other public bodies, or individuals, that is, what would later be called interest.

seigneur A person, usually a noble, but in some cases a non-noble or an institution, entitled to receive the income and enjoy the honors arising from the manorial or feudal system of land tenure.

taille The basic tax of the French monarchy, dating from the fifteenth century, with exemption for nobles and clergy and, by the eighteenth century, for most townspeople, officeholders, and others, so that the *taille personnelle* was paid in general only by the peasantry and was a sign of inferior status. In some parts of France, where the land itself was defined as noble or non-noble, a noble owning non-noble land would be liable for the *taille réelle*.

vingtième A more modern tax, the “twentieth,” introduced in 1749 (after earlier experiments with the *dixième*, or tenth), consisting in principle of a twentieth of all income, and in practice falling only on the imputed income from lands. In principle payable by persons of all social classes, but subject to many special arrangements.

Vive le roi!, vive la reine!, vive la Nation! Cheers for the king, the queen, the Nation!

A few words are so common to French and English as to justify special comment:

bureau The Assembly of Notables of 1787 and 1788 divided itself into seven *bureaux* of about twenty persons each to facilitate discussion. They were not committees, though sometimes translated as such; each considered all matters before the Notables, and they are called “bureaus” in the present translations.

bourgeois, bourgeoisie These words were not regarded as English until the later years of the nineteenth century, and since then there has sometimes been a hesitation to use them lest they suggest a Marxist interpretation. A *bourgeois* was someone who was not a noble and not of the laboring class, and who generally possessed some education and assured income. The *bourgeoisie* was a category somewhat indefinite at the edges. Where the Tocquevilles say *bourgeois*, we translate as “bourgeois,” and where they say *classes moyennes*, we say “middle classes.”

gentilhomme This word never developed in France the broader range of meaning that “gentleman” took on in English. Newly made nobles were not *gentilhommes*, since *gentilhomme* referred to purity or antiquity of lineage and good breeding, not to legal status. Where the Tocquevilles say *gentilhomme*, we translate as “gentleman,” using an old-fashioned sense of the word.

Monsieur, Messieurs These French terms of address are retained, since to say “Sir” or “Gentlemen” would strike a false note. When the king addressed an assembly as *Messieurs*, he politely included those who were not “gentlemen.”